

Exhibit 7

DWAYNE D. FURLOW 2/14/2017

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<p>1 UNITED STATES DISTRICT COURT</p> <p>2 EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION</p> <p>3 --oOo--</p> <p>4 DWAYNE FURLOW, et al.,)</p> <p>5 Plaintiffs,)</p> <p>6 vs.) No. 4:16CV00254CEJ</p> <p>7 JON BELMAR, et al.,)</p> <p>8 Defendants.)</p> <p>9</p> <p>10 DEPOSITION OF</p> <p>11 DWAYNE D. FURLOW</p> <p>12 February 14, 2017</p> <p>13</p> <p>14</p> <p>15 (Beginning at 9:04 a.m.)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 for Production of Documents</p> <p>2 (The original exhibits were retained by the court</p> <p>3 reporter and will be copied and attached to copies</p> <p>4 of the transcript.)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE PLAINTIFFS:</p> <p>4 Blake Strode, Esq.</p> <p>ArchCity Defenders, Inc.</p> <p>5 1210 Locust Street</p> <p>St. Louis, MO 63103</p> <p>6 (855)724-2489</p> <p>bstrode@archcitydefenders.org</p> <p>7</p> <p>8 Timothy Holland, Esq.</p> <p>Elizabeth Grossman, Esq.</p> <p>9 Jonathan Wall, Esq.</p> <p>Charles Hamilton, Esq.</p> <p>10 Paul, Weiss, Rifkind, Wharton & Garrison LLP</p> <p>1285 Avenue of the Americas</p> <p>11 New York, NY 10019-6064</p> <p>(212)373-3373</p> <p>12 tholland@paulweiss.com</p> <p>egrossman@paulweiss.com</p> <p>13 jwall@paulweiss.com</p> <p>chamilton@paulweiss.com</p> <p>14</p> <p>15 FOR THE DEFENDANTS:</p> <p>16 Michael E. Hughes, Esq.</p> <p>St. Louis County Counselor's Office</p> <p>17 41 S. Central Avenue, 3rd Floor</p> <p>Clayton, MO 63105</p> <p>18 (314)615-7042</p> <p>mhughes2@stlouisco.com</p> <p>19</p> <p>20</p> <p>21 COURT REPORTER:</p> <p>22 RENÉE COMBS QUINBY, RMR, CRR</p> <p>CSR (CA) #11867</p> <p>23 CCR (MO) #1291</p> <p>Midwest Litigation Services</p> <p>24 711 North 11th Street</p> <p>St. Louis, MO 63101</p> <p>25 (314)644-2191</p>	<p>1 Q. I guess you know the rules, is that</p> <p>2 correct, for a deposition?</p> <p>3 A. I guess.</p> <p>4 MR. HOLLAND: You should tell him --</p> <p>5 BY MR. HUGHES:</p> <p>6 Q. The court reporter just told you you</p> <p>7 have to tell the truth.</p> <p>8 A. Yes, sir.</p> <p>9 Q. Did you know that?</p> <p>10 A. Yes, sir.</p> <p>11 Q. And you know -- I guess we'll know when</p> <p>12 you're not.</p> <p>13 A. Yes, sir.</p> <p>14 Q. And your attorneys will, too, okay. So</p> <p>15 you're going to tell the truth?</p> <p>16 MR. HOLLAND: Asked and answered.</p> <p>17 BY MR. HUGHES:</p> <p>18 Q. Are you going to tell the truth?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Okay. Tell us your full name. Excuse</p> <p>21 me.</p> <p>22 Where do you live now?</p> <p>23 A. I reside on 5049 Raymond Avenue.</p> <p>24 Q. Is that in the City of St. Louis?</p> <p>25 A. Yes, sir.</p>
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<p>1 --oOo--</p> <p>2 IT IS HEREBY STIPULATED AND AGREED by and</p> <p>3 between counsel for the Plaintiffs and counsel for</p> <p>4 the Defendants, that this deposition may be taken in</p> <p>5 machine shorthand by RENÉE COMBS QUINBY, a Certified</p> <p>6 Court Reporter and Notary Public, and afterwards</p> <p>7 transcribed into typewriting, and the signature not</p> <p>8 waived by agreement of Counsel and consent of the</p> <p>9 Witness.</p> <p>10 --oOo--</p> <p>11 DWAYNE D. FURLOW,</p> <p>12 of lawful age, having been first duly sworn to</p> <p>13 testify to the truth, the whole truth, and nothing</p> <p>14 but the truth in the case aforesaid, deposes and</p> <p>15 says in reply to oral interrogatories propounded as</p> <p>16 follows, to-wit:</p> <p>17 P R O C E E D I N G S 9:04 a.m.</p> <p>18 --oOo--</p> <p>19 EXAMINATION</p> <p>20 BY MR. HUGHES:</p> <p>21 Q. Will you state your name.</p> <p>22 A. Dwayne Furlow.</p> <p>23 Q. What's your full name?</p> <p>24 A. Dwayne D. Furlow. Dwayne Dajuan</p> <p>25 Furlow. D-a-j-u-a-n.</p>	<p>1 Q. And where is that?</p> <p>2 A. It's on the west side of St. Louis.</p> <p>3 Q. Near where?</p> <p>4 A. Kingshighway.</p> <p>5 Q. And what?</p> <p>6 A. Raymond.</p> <p>7 Q. Okay. Is that near Dr. King Drive?</p> <p>8 A. Yeah, like, maybe two, three blocks up.</p> <p>9 Q. Okay. And is that a residence, a flat,</p> <p>10 an apartment?</p> <p>11 A. A residence.</p> <p>12 Q. Single-family residence?</p> <p>13 A. A house.</p> <p>14 Q. Yeah. And who lives there -- who lives</p> <p>15 there with you?</p> <p>16 A. Me, my wife, my children.</p> <p>17 Q. And who owns that house?</p> <p>18 A. Her grandmother owns the house.</p> <p>19 Q. Who's her grandmother?</p> <p>20 A. I don't know her first name, but I call</p> <p>21 her Mrs. Ewing. Mrs. Ewing, E-w-i-n-g.</p> <p>22 Q. And immediately before moving -- strike</p> <p>23 that.</p> <p>24 Before you moved on Raymond, who lived</p> <p>25 in that house on Raymond?</p>

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1 A. Before I moved, grandmother.
2 Q. Your wife's grandmother?
3 A. Oh, yeah, my wife's grandmother.
4 Q. Does she still live there?
5 A. Oh, yeah.
6 Q. Mrs. Ewing still lives there?
7 A. Yes.
8 Q. And that's all you call her,
9 Mrs. Ewing?
10 A. Mrs. Ewing.
11 Q. And does anyone else besides your wife
12 and children live there with Mrs. Ewing?
13 A. I think she has an uncle that stays on
14 the third floor. We don't see him too much.
15 Q. How many bedrooms does this house have?
16 A. 13.
17 Q. 13?
18 A. Uh-huh.
19 Q. Is it used -- are rooms rented out
20 there?
21 A. No.
22 Q. Okay. So you have Mrs. Ewing, an aunt,
23 and you, your wife, your children, anyone else?
24 A. No. No, sir.
25 MR. HOLLAND: I think he said uncle,

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1 not aunt.
2 BY MR. HUGHES:
3 Q. Oh, did you say uncle?
4 A. Yes, sir. Some dogs in the backyard.
5 Q. It is -- it is an uncle on the third
6 floor?
7 A. Yes.
8 Q. I'm sorry. Do you know --
9 A. I don't know if he stays there. I
10 don't know if he just, like, comes as he pleases.
11 Like, I know he grew up there as a kid, you know. I
12 don't see him, like, when I'm eating, like,
13 breakfast, lunch, and dinner. I see him breeze
14 through. I don't see him living there like I'm
15 living there.
16 Q. Do you know --
17 A. So I couldn't really tell you if he
18 really lives there or not. I don't see him get
19 ready for bed or anything like that.
20 Q. Do you know his name?
21 A. No, sir.
22 Q. You never asked him what his name was?
23 A. Never asked him what his name was.
24 Q. Does he ever talk to you?
25 A. No, he doesn't talk to anyone.

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1 Q. Is he not friendly?
2 A. He's not friendly at all.
3 Q. How old is he?
4 A. He could be 50. I think he had a
5 birthday on [REDACTED] they was telling me about.
6 It was [REDACTED].
7 Q. Before you lived on Raymond, where did
8 you live?
9 A. I stayed -- I resided on 1230 Maple
10 Avenue.
11 Q. Okay. I'll get into that more. Now,
12 what about the address I saw along the way, [REDACTED]
13 [REDACTED]? Who lives there?
14 A. 50?
15 Q. Yeah.
16 A. [REDACTED]?
17 Q. Yes.
18 A. I'm not really familiar with that
19 address.
20 Q. All right. Your age is?
21 A. I'm 32.
22 Q. Your date of birth is?
23 A. [REDACTED].
24 Q. Okay. And you're married; is that
25 true?

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1 A. Yes, sir.
2 Q. How many times have you been married?
3 A. Just this once, time.
4 Q. And who is your spouse?
5 A. Latoya.
6 Q. What is her full name?
7 A. Latoya Shadee Patreice Ewing Furlow.
8 It's a long name.
9 Q. How do you spell that second name?
10 A. I'm not for sure. It's kind -- I'm not
11 for sure.
12 Q. Okay. Is she presently working?
13 A. She just -- she's just under the
14 business that we own together. That's the only
15 thing that we do together.
16 Q. What business is that?
17 A. It's Furlow Tires and Landscaping.
18 Q. Do you have a business address?
19 A. On the paperwork, it's -- it was the
20 old address that I stayed at. We used that address
21 because we don't have a building or anything like
22 that. It was 116 Glen Garry on the Secretary of
23 State paperwork.
24 Q. Okay.
25 A. And that was --

3 (Pages 9 to 12)

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1 Q. So you're saying you filed some papers
2 with the state listing the address as 116 Glen
3 Garry?
4 A. As the business, as the place of
5 business.
6 Q. And that's never been amended with the
7 state; is that correct?
8 A. No, sir.
9 Q. So do you have any sort of inventory of
10 tires?
11 A. Yes. I have a contract with, like -- I
12 forget the name of the people on Lindbergh, they're
13 called Wholesale Tires, and I have -- I set it up
14 with those guys. I have all different kind of
15 numbers and things like that. My wife, she does
16 that part right there for me. You know, I'm kind of
17 laid back on that part right there.
18 Q. Your wife does what stuff?
19 A. She -- the sales taxes and things like
20 that, when people shop and buy tires online, because
21 it's like, I have to go online -- I go online, they
22 tell me the tires -- the size tires they want --
23 this is for new tires. I sell new ones and used
24 tires.
25 But for the new tires, they go

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1 online -- she goes online, she looks up the tire
2 size, she sees the price. She does all that. I
3 only make so much money off of each tire sale.
4 Like, sometimes tires cost, like, \$500. I maybe
5 would only get -- I probably would only get, like,
6 \$120 out of that particular -- out of those four
7 tires, if they were to buy a set of tires from me,
8 because I would have to pay taxes right off the bat
9 to the company.
10 Q. How do customers find you?
11 A. Well, I make fliers. Of course,
12 there's Facebook. You know, I have friends that I
13 went to school with that supports me. I have
14 family. I'm at Walmart with fliers and stuff like
15 that. I may put them inside the window of cars. I
16 may just stick them in and stuff like that.
17 Q. So what --
18 A. And when I started this business, I
19 worked at Royal Auto Care. I was already --
20 Q. You worked where?
21 A. Royal Auto Care.
22 Q. Royal?
23 A. Auto Care.
24 Q. Where is that?
25 A. That's on Chambers and -- I mean, on

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1 Chambers and Castle, and I used to put tires on
2 people's cars. I was working for another guy, so
3 that right there gave me a lot of clientele as well
4 to sell tires for my own business.
5 Q. So you do pretty good business?
6 A. It's -- it's all right.
7 Q. What do you mean, "it's all right"?
8 A. I mean, it's like -- it's just -- it's
9 just enough to get by, you know, so I'm looking
10 forward to picking up maybe in a couple weeks.
11 Q. Why is that?
12 A. Well, I had car problems and there was
13 a lot of people I can't get to. I can't meet them,
14 you know, for the tires like I used to when I had
15 cars and things like that.
16 Q. You say you'll pick up in a couple
17 weeks. You mean -- why will it pick up in a couple
18 weeks?
19 A. I can file my -- I filed my taxes and
20 I'll probably be able to purchase another vehicle
21 and things like that, so I can move around and get
22 to the money.
23 Q. How many vehicles do you have now?
24 A. I have zero.
25 Q. When you said, you know -- when I asked

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1 you how -- how was business, you said it's all
2 right, so how much a year do you earn from your tire
3 business?
4 A. I couldn't really -- I'm kind of new to
5 this business game, so I couldn't really give you a
6 ballpark figure right now.
7 Q. Well, do you -- did you pay taxes?
8 A. Yes, sir.
9 Q. Well --
10 A. I'm going to pay taxes.
11 MR. HOLLAND: Why don't you ask him how
12 long he's been running the business.
13 THE WITNESS: I'm going to pay taxes
14 coming up soon. I have a lot of legal issues like
15 child support and things like that. Like, I'm
16 sending off abatement letters and things like that
17 before I actually file my taxes. This will be my
18 first time filing my taxes this year for the last
19 two years.
20 BY MR. HUGHES:
21 Q. When did you start that business?
22 A. I think -- I can't recall the exact
23 date, but I think I've been running this business
24 now for at least, just like a little bit over two
25 years, maybe a couple weeks or something like that,

4 (Pages 13 to 16)

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1 as we speak right now.
2 Q. Well, today is February 14th, 2017, so
3 are you saying you were running the business in
4 January of 2015?
5 A. I just know I stayed on Glen Garry when
6 I started the business, 116 Glen Garry.
7 Q. That's when you started the business?
8 A. Uh-huh.
9 Q. Again, getting back to, when I asked
10 you how's business, you said it's all right, do you
11 earn 25,000 a year? 50,000 a year? 100,000 a year?
12 More than that?
13 A. If I recall -- if I recall, I think it
14 was -- it was just about -- it was like 17,000
15 though. I think that's what me and my wife
16 discussed.
17 Q. Earns about --
18 MR. HOLLAND: Is that an approximation?
19 THE WITNESS: It's like -- we was
20 talking. I was asking her those questions and stuff
21 like that because, like, I'm, like, so new to it,
22 you know.
23 BY MR. HUGHES:
24 Q. Okay. Are you saying you earn about
25 \$17,000 a year in the tire business?

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1 A. Yeah, so far. That's what it looked
2 like that we were going to file when we get to
3 that -- when we cross that bridge right there.
4 Q. I didn't ask you what you're going to
5 file. I asked you how much you earned.
6 A. Yeah, about -- it could be about
7 17,000.
8 Q. And then you also mentioned you have a
9 landscape business.
10 A. Yes, sir.
11 Q. Tell me about that.
12 A. It's down. Again, no vehicle. I had
13 some -- I think I had some people put some sugar or
14 some syrup in my tank when I stayed at 1230 Maple.
15 Caught on fire on the highway. Engine locked up.
16 Q. Well, it's been a while since you've
17 lived on Glen Garry, so you did have your landscape
18 business when you were on Maple; is that correct?
19 A. Yeah.
20 Q. And you had it on Glen Garry also?
21 A. Yes, sir.
22 Q. And who were your customers?
23 A. I couldn't name these people. I
24 couldn't name the people.
25 Q. Well, what part of town?

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1 A. North County, U City, some Clayton,
2 west side of St. Louis, I think that's -- that's
3 pretty much it. I've been -- that's pretty much it.
4 Q. How many people work with you on the
5 landscaping business?
6 A. I started off at with, like, 125
7 customers.
8 Q. Do you still have 125 customers?
9 A. I don't believe I do. I started to do
10 the people that were dedicated to getting their
11 grass cut, like, every two weeks. I worked with
12 other people, and I met some guys who owned their
13 home, who own homes and they owned property, so a
14 lot of people got cut off during that busy time for
15 not calling me every two weeks and stuff like that.
16 Q. So with your customers, you do
17 landscaping, and in addition you cut their grass
18 about every two weeks?
19 A. Yes, sir.
20 Q. And your customer base is about 125 --
21 A. People.
22 Q. -- people, 125 homes?
23 A. Yes.
24 Q. Okay. That's in North County,
25 University City, Clayton, and the west side of the

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1 city; is that correct?
2 A. Uh-huh.
3 Q. Is that a "yes"?
4 A. Yes, sir.
5 Q. And when you say "the west side of the
6 city," I assume that's what you meant. If it's not,
7 correct me.
8 A. Yeah, because I have one lady that
9 actually stayed on Raymond at the top of the street
10 there where I stay at now, an older woman and a --
11 Q. When you say "the west side of
12 St. Louis," do you mean in that area of Raymond
13 and --
14 A. Kingshighway.
15 Q. -- Kingshighway, or do you mean closer
16 to, you know, some -- at Union and --
17 A. Just right there.
18 Q. -- Skinker --
19 A. I mean right there at Kingshighway --
20 Q. All right.
21 A. -- and Raymond.
22 Q. So how much -- do your customers pay
23 you in cash?
24 A. Yes, some of them pay me in cash; some
25 of them have checks.

5 (Pages 17 to 20)

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<p>1 Q. When you get checks, do you deposit</p> <p>2 them somewhere, or do you cash them somewhere?</p> <p>3 A. I do both. I might deposit some in the</p> <p>4 bank and then I might cash some right up the street.</p> <p>5 Yeah, I do both.</p> <p>6 Q. When you cash them right up the street,</p> <p>7 where is that?</p> <p>8 A. Kingshighway. Check cashing place.</p> <p>9 Q. Kingshighway near?</p> <p>10 A. Page.</p> <p>11 Q. On Page?</p> <p>12 A. Yeah.</p> <p>13 Q. And when you deposit it in the bank,</p> <p>14 what bank?</p> <p>15 A. It was Bank of America. Bank of</p> <p>16 America.</p> <p>17 Q. Which branch?</p> <p>18 A. I would say that was the Baden branch.</p> <p>19 Q. B-a-d-e-n, Baden?</p> <p>20 A. Baden, yeah, I think that's the branch</p> <p>21 that they call it, just right at the Riverview</p> <p>22 Circle.</p> <p>23 Q. Yeah, I'm familiar with it. And tell</p> <p>24 me about your income, whether you reported it or</p> <p>25 not, with the cash and checks that you get with 125</p>	<p>1 work in the -- that's what she did when I first met</p> <p>2 her. She was doing, like, home healthcare and stuff</p> <p>3 like that. She was taking care of, like, you know,</p> <p>4 the elderly people and things like that.</p> <p>5 Q. Does she have a background in nursing,</p> <p>6 or does she have any sort of license?</p> <p>7 A. I believe that she has some type of</p> <p>8 license in that area. She went to school for</p> <p>9 business.</p> <p>10 Q. Where did she go to school?</p> <p>11 A. She went to -- she went to Florissant</p> <p>12 Valley Community College.</p> <p>13 Q. Did she get a degree at Flo Valley?</p> <p>14 A. I'm not for sure.</p> <p>15 Q. But she took business there or she</p> <p>16 took --</p> <p>17 A. Business.</p> <p>18 Q. -- some sort of nursing?</p> <p>19 A. Business. I'm not for sure what she</p> <p>20 got the -- the graduate stuff for, like, nursing and</p> <p>21 stuff, but I'm just thinking. I'm not for sure.</p> <p>22 Q. Do you know if she has, like, a LPN</p> <p>23 license?</p> <p>24 A. No LPN. No RN either. I know that for</p> <p>25 a fact.</p>
Page 22	Page 24
<p>1 customers doing landscaping, cutting the grass every</p> <p>2 two weeks. How much income does that pull in in a</p> <p>3 year, do you think?</p> <p>4 A. Like I told you, I think it was -- I</p> <p>5 think it was pulling in probably about -- it was</p> <p>6 pulling in probably about the same as the tires</p> <p>7 because, like I said, I never really made, like, a</p> <p>8 whole bunch of money doing these things, but I do</p> <p>9 make money doing these things.</p> <p>10 Q. So that's about \$17,000 a year with</p> <p>11 that business?</p> <p>12 A. Yeah, somewhere around there.</p> <p>13 Q. So in the last five years, has your</p> <p>14 wife, Latoya, worked anywhere besides working on</p> <p>15 the -- working with you on your two businesses?</p> <p>16 A. Yes, sir.</p> <p>17 Q. Where has she worked?</p> <p>18 A. She did private duty. I couldn't tell</p> <p>19 you where exactly, somewhere in Weldon Springs,</p> <p>20 though, maybe.</p> <p>21 Q. I'm sorry, where?</p> <p>22 A. She did private duty nursing, so she</p> <p>23 maybe did things like -- she worked for the Verizon</p> <p>24 cell phone company. I think that was in Weldon</p> <p>25 Springs. Yeah, she did a lot of -- she did a lot of</p>	<p>1 Q. Is she, like, a nursing aide?</p> <p>2 A. Maybe some type of CNA thing like that.</p> <p>3 Q. Maybe what?</p> <p>4 A. CNA.</p> <p>5 Q. CRNA?</p> <p>6 A. CNA.</p> <p>7 Q. CNA.</p> <p>8 A. Something like that.</p> <p>9 Q. Has she ever worked at a nursing home</p> <p>10 or a hospital or any healthcare facility?</p> <p>11 A. That one I don't know.</p> <p>12 Q. How long have you been with her or</p> <p>13 known her?</p> <p>14 A. I've known Latoya for about four and a</p> <p>15 half years.</p> <p>16 Q. So during this four and a half years,</p> <p>17 did she ever go to school?</p> <p>18 A. Did I?</p> <p>19 Q. Did she?</p> <p>20 A. Yeah, she attended school. When I</p> <p>21 first met her, she was going to school.</p> <p>22 Q. Which was Flo Valley?</p> <p>23 A. Florissant Valley, yes, sir.</p> <p>24 Q. And during this four and a half years,</p> <p>25 did she work at Verizon phone company?</p>

6 (Pages 21 to 24)

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1 A. She didn't work there at first. She
2 was doing, like, private duty, like I say, she was
3 doing private duty, some -- I don't really know what
4 private duty is. I can probably tell you, but I'd
5 probably be lying.

6 Q. When you met her, was she or was she
7 not working at Verizon?

8 A. No, she wasn't working at Verizon when
9 I first met her.

10 Q. Since you met her, has she worked at
11 Verizon?

12 A. Yeah, somewhere down there, she worked
13 at Verizon, somewhere down the road.

14 Q. And she worked at which Verizon store?

15 A. It was a store at Weldon Springs.

16 Q. And when was that?

17 A. I can't remember. I can't remember the
18 exact year.

19 Q. Did she drive out to Weldon Springs and
20 back every day?

21 A. Yes.

22 Q. How long did she work at Verizon in
23 Weldon Springs?

24 A. I don't know.

25 Q. Give me your best estimate.

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1 Q. Last year did she work at Verizon?

2 A. No, sir.

3 Q. When you lived on Maple did she --

4 A. She worked at -- worked at Verizon when
5 I stayed on Glen Garry with her.

6 Q. Okay. So how long did she work at
7 Verizon?

8 A. Like I said, I couldn't tell you.

9 Q. Before -- did she work there before you
10 moved to Glen Garry?

11 A. No, sir.

12 Q. All right. And -- but, also, she did
13 private duty. Was that when she was living on
14 Maple?

15 A. That was when she was living on Glen
16 Garry. That's what I was telling you about when I
17 first married her, she was going to school and she
18 was working private duty.

19 Q. How does she get clients with her
20 private duty?

21 A. I don't know how she got them.

22 Q. When she works at private duty, does
23 she work in people's homes, or does she just go
24 there and spend a half day with them, or how does
25 that work?

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1 A. Wow, I couldn't say.

2 Q. A year? Two years?

3 A. That I couldn't say.

4 Q. Why not?

5 A. Because I'm not for sure.

6 Q. Well -- well, give me your best
7 estimate. Is it a month? Six months? A year?

8 MR. HOLLAND: He said he doesn't know,
9 so how is that going to be helpful?

10 THE WITNESS: I couldn't say because I
11 used to work every day, so, really, I couldn't say.

12 BY MR. HUGHES:

13 Q. So you've known her for four and a half
14 years, but you cannot tell me -- and you've known
15 her for four and a half years --

16 A. Exactly how long she worked there --

17 MR. HOLLAND: Let him finish his
18 question.

19 BY MR. HUGHES:

20 Q. I'm not asking you exactly. I'm asking
21 you for your best estimate.

22 A. I couldn't say. I couldn't say.

23 Q. Well, last -- this year did she work at
24 Verizon?

25 A. No, sir.

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1 A. I think she may have spent some time at
2 people's homes or stuff like that and took them
3 places and stuff like that, roll with them and
4 things like that.

5 Q. What is your understanding of what
6 "private duty nursing" means?

7 A. The only thing I can tell you is that
8 they were taking care of elderly people, and the
9 people were actually allowed to be in the cars with
10 the people, be in the cars -- be in the cars with
11 the nurses and, like, take them places with the
12 permission of family members and things like that.
13 That's -- that's the only thing that I know.

14 Q. Did she take them places in her car or
15 your car?

16 A. Her car.

17 Q. What kind of car does she have?

18 A. At that particular time, she had a
19 Grand Prix, a 2004 Grand Prix, silver.

20 Q. Does she still have that 2004 Grand
21 Prix?

22 A. No, sir.

23 Q. What does she have now?

24 A. We have no -- we have no car.

25 Q. Does Latoya have -- did Latoya have

7 (Pages 25 to 28)

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1 some children before you met her?
2 A. Yes, sir.
3 Q. Who are her children?
4 A. [REDACTED] and [REDACTED].
5 Q. What's [REDACTED]'s last name?
6 A. [REDACTED].
7 Q. And [REDACTED]h?
8 A. [REDACTED].
9 Q. How old is [REDACTED] now?
10 A. He's 13.
11 Q. And how old is [REDACTED] now?
12 A. She's eight.
13 Q. Have you and Latoya had any children
14 together?
15 A. No.
16 Q. You mentioned you have child support to
17 pay; is that correct?
18 A. Yes, sir.
19 Q. Tell me -- tell me the names of the
20 children that you pay child support for.
21 A. I believe that's [REDACTED] and [REDACTED].
22 Q. How much child support are you
23 obligated to pay for [REDACTED]?
24 A. For [REDACTED], I'm not for sure, but it
25 comes to a total for both \$208 a month.

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1 Q. Okay. That's good enough. That's --
2 and who -- do [REDACTED] and [REDACTED] have the same
3 mother, or do they have different mothers?
4 A. The same mother.
5 Q. Who is the mother?
6 A. LaDonna.
7 Q. LaDonna what?
8 A. Dampier. D-a-m-p-i-e-r.
9 Q. Where does LaDonna Dampier live?
10 A. I have no idea.
11 Q. Well, when you -- do you pay child
12 support to LaDonna Dampier?
13 A. I don't know where the money goes to.
14 Q. Where do you pay the money when you pay
15 it?
16 A. I don't know. It just come out of a
17 government check. It would come out of a government
18 check.
19 Q. Do you deposit it, like, in the courts
20 or anything?
21 A. Do you remember when I told you about
22 the abatement letter?
23 Q. About what?
24 A. The abatement letter.
25 Q. Tell me about it.

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1 A. I was paying child support -- I was
2 ordered to pay it in 2010. I was residing with her.
3 I didn't know that I was on probation -- I mean, on
4 child support staying in the same house as her, and
5 then I found all these things out. Now I have my
6 kids, I had them for the last, like, four years, so
7 a lot of money I don't owe, I feel.
8 Q. Tell me, what's an abatement letter? I
9 don't know it.
10 A. It's a letter that I have to write to
11 Jefferson City showing proof of why I shouldn't have
12 to pay the arrears and ongoing balance of child
13 support, something like that.
14 Q. But you're still ordered to pay child
15 support now?
16 A. Yeah, because, for instance, like, when
17 I went to, like, do some work at the Scottrade
18 Center, and that's a government job, looking at the
19 check stubs, they took it out.
20 Q. You say you paid money out of a
21 government check. Tell me what you mean by that.
22 A. I was called by a temp service to set
23 up for the St. Louis Blues to play hockey.
24 Q. What do you mean, "set up for the
25 St. Louis Blues"?

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1 A. Like, take the plastic and -- take the
2 plastic off of the ice and -- it was a lot of things
3 we did down there, hook glass up around the ice
4 and --
5 MR. HOLLAND: By "there" you mean the
6 Scottrade Center?
7 THE WITNESS: Scottrade Center, yep.
8 BY MR. HUGHES:
9 Q. And how long did that last?
10 A. I went, like, every time they would
11 call me. They didn't call me that much, like, it
12 was recent too. It was, like, it was -- it was
13 December. It was maybe for, like, the last -- since
14 I was on Maple, I did things for the Scottrade
15 Center also. Just something else that I did to get
16 money.
17 Q. So I don't understand the concept of
18 that, you get a government check.
19 A. Yeah, I mean, that job, like, the
20 concept -- that job, like, they knew I paid child
21 support, so, I mean, they had to find -- so child
22 support is through the government, so by me looking
23 at the stubs and seeing that child support was taken
24 out, that's where I get that concept from.
25 Q. Did your check come from the temp

8 (Pages 29 to 32)

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1 service --
2 A. Yes, sir.
3 Q. -- or did it come from the St. Louis
4 Blues, or did it come from the City of St. Louis?
5 But it came -- you think it came from the temp
6 service?
7 A. Yeah, it came from the temp service.
8 Q. And what is the name of the temp
9 service?
10 A. It was called Nine2Five.
11 Q. Say that again.
12 A. Nine2Five.
13 Q. Nine2Five?
14 A. Yeah, Nine slash Five, or
15 Nine t-o Five.
16 Q. Where are they located?
17 A. They have two locations. They have one
18 somewhere off Hampton somewhere in South County.
19 That's the one I went to. I don't actually remember
20 the location where I went. But then they have
21 another one on Natural Bridge.
22 Q. But the one you go to is in South
23 County?
24 A. Yes.
25 Q. Is there any particular reason why you

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1 Hampton bus? Is that what you're saying?
2 A. Yeah. Like I said, I don't remember
3 that location, but I've asked the people there,
4 like, where am I at, you know, and they let me know
5 that I was in South County.
6 Q. Do you know the street?
7 A. No, not now. Not now, I don't know it.
8 Q. When you take the Hampton bus, how do
9 you know where to get off?
10 A. I was instructed through a phone call
11 from the lady that worked at the temp service at
12 that particular time going out there.
13 Q. They instructed you to get off where?
14 A. You get on the 90 Hampton, and they're
15 like, Are you familiar with the 90 Hampton? I was,
16 like, Yes. They were, like, You get off at the
17 Catalan loop, and then they were, like, You get on
18 another bus which was the 48. I don't remember what
19 the name was of the 48 though.
20 Q. Yeah.
21 A. And the 48 took me to South County.
22 Q. And when you --
23 A. But it was a straight route. Like, I
24 was on Hampton, like, I just remember going
25 straight. I don't remember turning.

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1 go to South County location for the temp service
2 rather than the Hampton Avenue location or the
3 Natural Bridge location?
4 A. That was the first one that I heard
5 about. I later found out that there was one closer
6 to me on Natural Bridge, but the one I found out
7 about first was the one out there in deep county.
8 Q. So are there actually three locations
9 or two locations?
10 A. Two.
11 Q. Huh?
12 A. Two.
13 Q. Well, I'm confused. There's one on
14 Hampton that you said, right?
15 A. Yes, sir. At Hampton, eventually down
16 the road if you just keep straight, I believe,
17 like -- because I caught the bus. I caught the 90
18 Hampton, and it eventually turns into South County
19 going through The Hill and then all that south side
20 and then it turns into South County.
21 And then they have another location
22 which is location number 2 that's on the -- on
23 Natural Bridge.
24 Q. Okay. So first location, South County,
25 is not actually on Hampton Avenue, but you take the

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1 Q. When you get off the bus at -- when
2 you're on the 48 bus, what street do you get off at?
3 What bus stop?
4 A. I'm not for sure. They just told me
5 that riding the 48, you look to your left. Not even
6 five minutes after you're on the bus, they say, you
7 will see the sign in the mall area says Nine2Five.
8 Q. In what area?
9 A. They told me that when you ride the
10 48 --
11 Q. Yeah.
12 A. -- they told me, like, it's not that
13 long of a drive, maybe, like, just five minutes.
14 They was, like, If you look to your left while
15 you're riding the bus, they're like, you'll see
16 where it says Nine2Five, and that's when I just --
17 Q. In what area? Lemay?
18 MR. HOLLAND: Did you say the mall
19 area?
20 THE WITNESS: It's like a mall looking
21 area, like, some type of plaza looking area, like,
22 you know, they have a store and they have, like, a
23 gas -- it's, like -- I don't know.
24 BY MR. HUGHES:
25 Q. Have you ever gone to the Nine2Five

9 (Pages 33 to 36)

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1 temp service on Natural Bridge?
2 A. No, sir.
3 Q. Have you gone to other temp services?
4 A. In the past I have, when I was a
5 younger person.
6 Q. In the last three years, what temp
7 services have you gone to?
8 A. Just Nine2Five.
9 Q. Is there any reason why that's the only
10 one you go to, or is that the only one in town these
11 days?
12 A. Just heard about it when I stayed on
13 Maple.
14 Q. Have they sent you any place other than
15 the Scottrade Center to do work?
16 A. No.
17 Q. How much income did you have from them
18 last year?
19 A. I got W-2s from them people. I think
20 it said something about, it was, like, 520 or
21 something like that is how much money I had made on
22 there.
23 MR. HOLLAND: \$520?
24 THE WITNESS: Yeah, I had just received
25 an income tax refund from them, like, maybe three or

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1 Q. What is she up to?
2 A. Nothing much.
3 Q. Are you paying child support to her?
4 A. I was. I don't speak with her about
5 those things though.
6 Q. When was the last time you paid child
7 support to her?
8 A. I don't know if I was paying it to her
9 or the state, but the last time I got, like, a
10 little check from Scottrade Center, that was the
11 only time that I noticed.
12 Q. Yeah, earlier in the deposition, you
13 know, when I asked you about how much you were
14 pulling in at your tire business, you said something
15 about you're paying child support, but would you
16 like to change your answer? Have you never paid
17 child support --
18 A. No, I can't change it --
19 Q. -- except when it was deducted from
20 your paycheck?
21 A. Yeah.
22 Q. So that's the only time you paid child
23 support?
24 A. Yeah. At times before when I had a
25 government job, like, when I worked at Smurfit-Stone

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1 four days ago.
2 BY MR. HUGHES:
3 Q. Okay. So how old is [REDACTED]?
4 A. He's ten.
5 Q. How old is [REDACTED]?
6 A. [REDACTED] is eight.
7 Q. When they were born, were you living
8 with their mother?
9 A. Yes.
10 Q. How long did you live with the mother?
11 A. Six years.
12 Q. When was the last time you saw their
13 mother?
14 A. About two weeks ago.
15 Q. Where?
16 A. On my way to my grandmother's.
17 Q. Where was that?
18 A. I seen her on Martin Luther King.
19 Q. You saw her on Martin Luther King?
20 A. Yeah.
21 Q. Did she live there?
22 A. No, I had just seen her. That was the
23 last --
24 Q. Did you talk to her?
25 A. Yeah, I spoke with her.

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1 in 2010, yeah, they took child support from me in
2 2010 from Smurfit-Stone.
3 Q. Is that a company or is that a
4 government?
5 A. That was a company, a recycling
6 company.
7 Q. Why do you call it a government job?
8 A. I guess because the check -- because
9 they take child support out, like, the government.
10 Q. How long did you work at that recycling
11 company?
12 A. I probably worked at Smurfit-Stone for
13 about close to a year. Maybe eight months.
14 Q. Why did you leave there?
15 A. I left Smurfit-Stone because I was
16 driving a forklift, and I didn't want to work on the
17 line. They put me on the line one day, and I had a
18 problem with that.
19 Q. So you quit?
20 A. Yeah, I quit.
21 Q. Why did you -- why did you and LaDonna
22 break up?
23 A. LaDonna, my kids' mother, had a drug
24 problem.
25 Q. Did you support her? Did you try to

10 (Pages 37 to 40)

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1 help her?
2 A. I tried to help her.
3 Q. So did she end up in jail?
4 A. I think she went to jail a few times,
5 paid [sic] the warrants.
6 Q. Was she ever ordered by a court --
7 well, was custody ever removed from her by a court?
8 A. No, sir.
9 Q. So she is still considered to have
10 custody of the children legally?
11 A. Yes, sir.
12 Q. Tell me where [REDACTED] lives now.
13 A. He stays with me and Latoya, my wife.
14 Q. And how about [REDACTED]?
15 A. He stays with me. All the kids stay
16 with me.
17 Q. By the way, did you ever strike
18 LaDonna?
19 A. No, sir.
20 Q. Where does [REDACTED] go to school?
21 A. He goes to school at -- what's the name
22 of the school? It's called Larimore Elementary
23 School.
24 Q. Where is that?
25 A. It's in Hazelwood, Missouri.

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1 Q. Where does [REDACTED] go to school?
2 A. They all go to Hazelwood school,
3 Larimore Elementary, including [REDACTED] and [REDACTED].
4 Lamount goes to the middle school which is called
5 East Middle. That's off of Prigge.
6 Q. [REDACTED] goes to --
7 A. Larimore Elementary.
8 Q. Wait. [REDACTED] -- [REDACTED] goes to
9 Larimore Elementary, [REDACTED] goes to Larimore.
10 [REDACTED] goes where?
11 A. Hazelwood East Middle.
12 Q. And [REDACTED] goes where?
13 A. Larimore.
14 Q. What grade is [REDACTED]?
15 A. I think she's in the third grade.
16 Q. What grade is [REDACTED] in?
17 A. Second.
18 Q. What grade is [REDACTED] in?
19 A. He's either in the fourth or the third.
20 Q. How do they get to school?
21 A. They get to school through a cab.
22 Q. Explain -- who pays for the cab?
23 A. The school district.
24 Q. So right now does a cab come down on
25 Raymond?

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1 A. Yes, sir.
2 Q. And when you lived on Maple, did the
3 cab come to Maple?
4 A. No.
5 Q. How did they get to school then?
6 A. Yellow -- they all walked. Matter of
7 fact, the elementary kids, they caught the bus at
8 the corner of Maple and Lavidia.
9 Q. How is it that [REDACTED] and [REDACTED] and
10 [REDACTED] and [REDACTED] go to Hazelwood schools and not
11 schools close to where you live?
12 A. It has something going on -- it's legal
13 though. I can't -- my wife really handles that
14 whole situation. I didn't know it was possible
15 myself either.
16 Q. But, anyway, a taxi picks up your --
17 all four children, or there's more than one taxi?
18 A. It's two taxis. We got one taxi that
19 just only picks up [REDACTED] and takes him to the
20 middle school. Then you have another that picks up
21 [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED].
22 Q. All right. How long have [REDACTED] and
23 [REDACTED] lived with you?
24 A. I want to say almost four years or
25 close to it.

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1 Q. And explain to me why they moved in
2 with you.
3 A. If I'm not -- their mother lost the
4 house.
5 Q. Where did the mother live?
6 A. She stayed on a street called
7 Roosevelt, is where she had stayed at.
8 Q. Where is Roosevelt?
9 A. It was off of Goodfellow.
10 Q. In the City of St. Louis?
11 A. Yes, on the west, yes.
12 Q. I'm sorry, what?
13 A. On the west. That's another west side
14 area of St. Louis.
15 Q. And when she lost her house, where did
16 she move?
17 A. I think she was with a friend or
18 something like that, and the kids was visiting me a
19 weekend and I heard that news. And I was taking
20 them to school in the city from the county, and then
21 I had to stop that.
22 So ever since then, you know, once I
23 stopped that, I've been having the kids with me in
24 the county. But, now, since Maple, moved back in
25 the city, and now they attend school from the west

11 (Pages 41 to 44)

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1 side of St. Louis City in Hazelwood County,
2 Missouri.
3 Q. They all attend school at Hazelwood?
4 A. Yes, sir.
5 Q. Not in the city?
6 A. No.
7 Q. Okay. Do you have any other children?
8 A. No.
9 MR. HOLLAND: I think you mentioned
10 [REDACTED], who maybe hadn't been discussed earlier.
11 Is that one of your children as well?
12 THE WITNESS: I mentioned [REDACTED].
13 MR. HOLLAND: Okay.
14 BY MR. HUGHES:
15 Q. I don't recall that. Who is [REDACTED]?
16 A. [REDACTED], that's my daughter.
17 Q. Tell me about her.
18 A. Pretty.
19 Q. How old is she?
20 A. Smart. [REDACTED] is six.
21 Q. Where does she live?
22 A. She stays with me.
23 Q. Since when?
24 A. Since about four -- almost four years
25 she's been with me, since about that time.

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1 Q. Who's her mother?
2 A. LaDonna.
3 Q. Do you and LaDonna have any other
4 children?
5 A. No.
6 Q. What school -- does [REDACTED] go to
7 school?
8 A. Yes. Hazelwood. Larimore Elementary.
9 Q. What grade is she in?
10 A. [REDACTED] is in the first.
11 Q. How does she get to school?
12 A. Cab.
13 Q. I guess you were telling me before, I
14 think, was it [REDACTED] goes in a taxi by himself?
15 A. Yes, sir.
16 Q. And then three children go in another
17 taxi?
18 A. [REDACTED] -- [REDACTED], [REDACTED], [REDACTED],
19 [REDACTED]. Four.
20 MR. HOLLAND: And [REDACTED] might be the
21 one you hadn't discussed yet.
22 BY MR. HUGHES:
23 Q. Who is [REDACTED]?
24 A. My daughter.
25 Q. How do you spell that?

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1 A. [REDACTED].
2 Q. How old is [REDACTED]?
3 A. [REDACTED] is nine.
4 Q. Where does she go to school?
5 A. Larimore Elementary.
6 Q. Who is her mother?
7 A. LaDonna.
8 Q. So you and LaDonna had how many
9 children together?
10 A. I had all my kids with LaDonna, all of
11 them.
12 Q. How many?
13 A. And Latoya had -- Latoya, she only has
14 two.
15 Q. How many did you have with LaDonna?
16 A. I had five kids with LaDonna.
17 Q. Does LaDonna pay child support for her
18 five kids?
19 A. No, sir. I'm looking forward to that
20 though. I'm looking into that though.
21 Q. Do you know where -- if LaDonna is
22 working any place now?
23 A. To my guess that she isn't.
24 MR. HOLLAND: Only if you know.
25

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1 BY MR. HUGHES:
2 Q. Do you know? Do you know?
3 A. I know she's not working.
4 Q. Who does she live with?
5 A. I can't tell you. I don't know.
6 Q. Where does she live?
7 A. I don't know.
8 Q. Oh. What's her phone number?
9 A. I don't -- I don't know it right by
10 heart offhand.
11 Q. Well, do you have it in your cell
12 phone?
13 A. No, I don't have a cell phone. I don't
14 own a cell phone.
15 Q. How do your landscaping and grass
16 cutting customers get in touch with you?
17 A. Like I say, it's been down, so now
18 they -- they call the house phone now. So that's
19 why I told you in the beginning, it was kind of
20 like -- business was kind of like okay, you know,
21 everybody I ran across, and I said in a couple weeks
22 things should pick up because of, like, the phone
23 and the vehicle situation.
24 Q. What makes you think the vehicle
25 situation will improve in the next two weeks?

12 (Pages 45 to 48)

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1 A. I can get to the -- I can get to
2 people. I can get to more people and get to money.
3 It's like people call --
4 MR. HOLLAND: I think he's asking you
5 why you're going to get -- why you think you'll have
6 a vehicle in the next two weeks to accomplish that.
7 THE WITNESS: The taxes that I filed,
8 that -- that my wife filed.
9 BY MR. HUGHES:
10 Q. Are you going to buy a vehicle in two
11 weeks?
12 A. Yeah, we're going to buy a vehicle.
13 Q. What are you going to buy? Have you
14 been looking around?
15 A. We've been thinking about some type of
16 work truck and a van.
17 Q. Okay. So your plan is to buy two
18 vehicles, a work truck and a van. Is that it?
19 A. Yeah, we always bought two vehicles at
20 a time.
21 Q. When did you stop having two vehicles?
22 A. I think sometime in February last year.
23 It's -- it's been -- it's been almost a year. It's
24 been exactly a year that I haven't possessed a
25 vehicle at all, you know.

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1 Q. Did you do people's lawns last summer?
2 A. Never got a chance to. Never got a
3 chance to. Never got a chance to pick up where I
4 left off at.
5 Q. So why -- this truck and a van in a
6 couple weeks, are you going to pay for the vehicles
7 in cash?
8 A. Yes, sir.
9 Q. Do you know who owns those vehicles
10 now?
11 A. No.
12 Q. I mean, have you picked them out, the
13 ones you're going to buy?
14 A. No.
15 Q. How tall are you?
16 A. I think I'm about five 11.
17 Q. How much do you weigh?
18 A. It kind of fluctuates. Sometimes I'm,
19 like, 175, and then other times, I could be, like,
20 195.
21 MR. HOLLAND: Are you asking him right
22 now?
23 BY MR. HUGHES:
24 Q. Yeah -- okay. Sometimes you weigh 195;
25 sometimes you weigh 175. How much do you weigh

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1 right now?
2 A. I probably weigh about -- I probably
3 weigh about 185 now, though.
4 MR. HOLLAND: Are you okay? Do you
5 need a break or anything?
6 THE WITNESS: No, I'm all right. Just
7 trying to calm down and just take it easy.
8 BY MR. HUGHES:
9 Q. Who's your mother?
10 A. My mother is Crystal Turner.
11 Q. Did she once go by the name Crystal
12 Simmons?
13 A. Yes, before she was married.
14 Q. How long has she been married?
15 A. I couldn't tell you. I don't know. I
16 don't know.
17 Q. How old is your mom?
18 A. She's about 50.
19 Q. Where does she live?
20 A. She stays here, [REDACTED].
21 Q. Who does she live -- who does she live
22 on [REDACTED] with?
23 A. She stays by herself.
24 Q. Tell me about that place on P [REDACTED]. Is
25 it a townhouse?

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1 A. It's a house. It's kind of -- it looks
2 real nice on the inside. The outside is pretty
3 decent too. The inside looks real nice. She had,
4 like, the whole thing, like, tore down and rebuilt
5 and things like that.
6 Q. So you had it all renovated?
7 A. Yeah.
8 Q. She owns -- she owns the house?
9 A. Yeah, she owns that house.
10 Q. How long?
11 A. Maybe since about 1999 maybe.
12 Q. Where does she work?
13 A. I don't know where she works at.
14 Q. Do you get any disability or any
15 government checks?
16 A. No, sir.
17 Q. Do you see your father?
18 A. Yeah, I just seen him recently. We
19 worked at the same job.
20 Do you know what? It come to my mind,
21 Nine2Five, they did send me to another job before.
22 They send me to Fazio's Bakery, and that's where I
23 ran into my father at.
24 It was kind of funny because they was,
25 like, Dwayne Furlow? They was, like, We already

13 (Pages 49 to 52)

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1 have you employed here. And I was, like, No, no,
2 you-all don't. And they was, like, Yeah, we do.
3 And I was, like, My middle initial is D. And then
4 they was, like, We'll see you when you start, and
5 that's when I ran back into my father.

6 Q. Okay. Does your father have a
7 different middle initial?

8 A. Yeah, his is C.

9 Q. How old is your father?

10 A. I think he's 50.

11 Q. Tell me how long you worked at -- is
12 it --

13 A. Fazio's.

14 Q. -- Fazio's Bakery?

15 A. I worked at Fazio's for, like, two
16 weeks. I used to work there in 2006 for, like,
17 three years. Like, when I had my first one, I
18 worked there in, like, 2006. When I had [REDACTED], I
19 worked there. And then I -- just now recently,
20 Nine2Five put me back.

21 Q. Did you recognize anybody when you went
22 back there?

23 A. Man, I seen a whole bunch of people
24 that was there, and I'm, like, Man, you people are
25 still there? And some of the people looked like

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1 A. I don't remember the month. I don't
2 remember the month though.

3 Q. Your best estimate? Was that about six
4 months ago? Four months ago?

5 A. I stayed on Maple though. I stayed at
6 1230 Maple. That's what I can tell you.

7 Q. And how did you get to work?

8 A. How was I getting to work? I caught
9 the bus.

10 Q. Now, that's on Sublette Avenue in the
11 city; is that correct?

12 A. Yeah, 1717.

13 Q. So what bus did you take?

14 A. I caught the 78, that's on Larimore. I
15 caught that to the -- to the Riverview transfer
16 center, and then I would get on the 90 Hampton, and
17 then the 90 Hampton would let me out right there off
18 the highway. I don't know if it was Highway 44,
19 right there by -- it was, like, a couple hotels
20 right there in that area.

21 Q. Yes, yes.

22 A. And then I would walk up a middle
23 street -- I'm not familiar with the street -- and
24 then I would make a left onto Sublette, and then the
25 building was sitting right there to my left.

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1 they hadn't aged a bit.

2 Q. When you were sent there by the temp
3 company, what did you do for Fazio's?

4 A. The same thing I did when I was there
5 years ago.

6 Q. Which was what?

7 A. I was a sanitizer.

8 Q. Which means what?

9 A. Like, it's a bakery, so I would take
10 the -- the machines and pour it and sanitize them
11 and soak them in chemicals mixed together so people
12 can get ready to make the next batch of dough.

13 Q. What were your hours?

14 A. My hours, it was an eight-hour job. I
15 used to go to work at 1:00 o'clock in the morning.

16 Q. Until when?

17 A. Until 9:00.

18 Q. Bakeries bake while you sleep.

19 A. Yeah.

20 Q. And -- and you worked there for two
21 weeks this year?

22 A. No, it was last year, 2016.

23 MR. HOLLAND: 2016?

24 BY MR. HUGHES:

25 Q. And what month?

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1 Q. Why did you stop working at Fazio's
2 Bakery?

3 A. Because I realized when I was working,
4 because, like, they had, like, some new supervisors
5 when I came in. Like, I did real good work there.
6 And the lady upstairs who owned the place, she knew
7 that I did real good work. They was, like, mad when
8 I had quit that job. And then when I came back, she
9 was, like, now we can get these things going back
10 the way they're supposed to go.

11 And we had this one new supervisor, she
12 had told me, she was, like, I'm seeing you -- she
13 was, like, You're moving around too much. She was,
14 like, You're moving around. I don't -- I'm, like,
15 What do you mean, I'm moving around? She was
16 basically trying to say I wasn't -- she was
17 basically saying I was, like, lollygagging at the
18 job or something like that.

19 But I was moving around, like, cleaning
20 the bathrooms, I was scrubbing walls, I was doing
21 extra work. I was cleaning baseboards. I was
22 wiping freezers down with bleach, and I was doing
23 everything pretty quick so I could keep my day full.
24 So I quit. I'm, like, I quit.

25 Q. Okay. So, just so we understand, you

14 (Pages 53 to 56)

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1 were not fired. You quit.

2 A. Yeah, I quit.

3 Q. During the time you worked there, did
4 they withhold child support at Fazio's?

5 A. Took out child support at Fazio's,
6 yeah.

7 Q. Is that why you quit?

8 A. No.

9 Q. And when you worked there the first
10 time for, I think you said, three years, did you
11 quit then too?

12 A. Yeah, I quit then too.

13 Q. Why?

14 A. Because I was supposed to be a
15 supervisor, and we had this guy that had been there
16 for, like, two years, and I was, like, there with
17 full attendance, never been late, and they were
18 still trying to move him up to, like, a supervisor
19 position because he had worked as long as me.

20 But I had been there just as long as
21 him, but I never missed a day. And I would never
22 complain about nothing that was done, and it was,
23 like, me and him was supposed to be -- and they were
24 still trying to give him a supervisor spot, and I
25 didn't feel like he deserved it. I felt like I

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1 I maybe worked at Fazio's for three years, so it
2 could have been, like, 2009 when I got this job. So
3 I worked at Fazio's for about three years.

4 Q. And how long did you work at American
5 Beverage?

6 A. I worked at American Beverage Company
7 for about four months until they closed down the
8 plant.

9 Q. And then what did you do?

10 A. American Beverage Company --

11 Q. Did you get unemployment when they
12 closed down the plant?

13 A. No, sir.

14 Q. Why not?

15 A. I never really cared for unemployment.

16 Q. Did you get another job?

17 A. Yeah, I got another job, and I'm trying
18 to figure out where all I worked at after the
19 American Beverage Company. I can't really put my
20 head on where I worked at after the American
21 Beverage Company.

22 Q. When did you stop working for full-time
23 companies? When did you stop working full-time at
24 companies?

25 A. I stopped working full-time for

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1 deserved it.

2 But they were telling me to just hold
3 on. He had made so many points already, you know,
4 so they were giving him a chance to keep his job.
5 And I felt like they should have been fired. So I
6 did them a favor and I quit too.

7 Q. You voluntarily quit?

8 A. I quit.

9 Q. Did you have another job then or you
10 just quit?

11 A. I quit, but I found another job after
12 that.

13 Q. Doing what?

14 A. I think I started working, like, at the
15 American Beverage Company off West Pine.

16 Q. American Beverage Company off of West
17 Pine?

18 A. It's not there anymore. They moved it
19 somewhere. I don't know where they moved it at.

20 Q. I'm not familiar.

21 A. They used to make sodas. They used to
22 be a soda company.

23 MR. HOLLAND: What year are you talking
24 about now?

25 THE WITNESS: So Fazio's, 2006 to 2008.

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1 companies in two thousand -- I want to say 2010.
2 2010.

3 Q. And beginning in 2010, did you just
4 work for yourself or what did you do?

5 A. I worked for a guy who used to own
6 Royal Auto Care on Chambers and Castle. Worked for
7 an African guy.

8 Q. Okay. Where -- that was in --

9 A. In North County.

10 Q. On -- on Chambers Road?

11 A. Yeah.

12 Q. Well, tell me about the business.

13 A. Like, there, I was, like, a mechanic
14 technician because I did, like, oil changes, and I
15 put brakes on people's cars and I sold tires. I was
16 the head of the tires. He put me in charge of the
17 tires there so --

18 Q. How long did you work at Royal Auto
19 Care?

20 A. Yeah. Royal Auto Care. I worked there
21 ten -- I worked there for, like, five years.

22 Q. When did you stop working there?

23 A. I'd say about 2015. I had started my
24 business while I was still working there.

25 Q. Did he pay you in cash, or did he give

15 (Pages 57 to 60)

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1 you a paycheck with, you know, taxes deducted?
2 A. He paid me cash.
3 Q. How much did you earn a year in those
4 years?
5 A. I never -- you say a year? I never --
6 I never kept track of how much money I made a year
7 there.
8 Q. Well, 25,000? 50,000? 75,000?
9 A. Nowhere near nothing like that.
10 Q. What was your best estimate?
11 A. Maybe about \$12,000 a year, \$11,000,
12 somewhere around there. That was it.
13 Q. And was that a full-time job or
14 part-time?
15 A. That was actually a full-time job. I
16 worked on Saturdays.
17 Q. Did you ever work anywhere else in the
18 last five years?
19 A. No. When I was working there?
20 Q. In the last five years, have you worked
21 anywhere else besides Royal Auto Care?
22 A. I mean, other than Fazio's and the
23 Scottrade Center. Are you talking about --
24 THE WITNESS: Is that what he's talking
25 about?

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1 MR. HOLLAND: Just within the last five
2 years, have you been employed at any job other than
3 what we've already discussed today?
4 THE WITNESS: Fazio's, Scottrade.
5 MR. HOLLAND: That you can recall.
6 BY MR. HUGHES:
7 Q. Is Royal Auto Care still in business?
8 A. Yes, sir.
9 Q. And it's on Chambers Road?
10 A. Yes, sir.
11 Q. And is that in unincorporated St. Louis
12 County, or is that Dellwood or Ferguson or --
13 A. I want to say it's unincorporated St.
14 Louis County, or it could be Moline Acres.
15 Q. Moline Acres.
16 A. Because the police station is one
17 street over. It's on the corner.
18 Q. That's Moline Acres is one street --
19 Moline Acres Police Department is one street over?
20 A. Yes.
21 Q. How many other people work at Royal
22 Auto Care besides you? How many other people worked
23 there?
24 A. It was me and Steve.
25 Q. Do you know Steve's last name?

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1 A. Yeah, I worked with Steve Gorko.
2 Q. Sorry, what?
3 A. Steve Gorko.
4 Q. Could you spell his name?
5 A. G-o-r-k-o. I mean -- yeah, k-o.
6 Q. And what is the name of the owner?
7 A. Akinola Sulaiman.
8 Q. You're going to have to spell that one,
9 please.
10 A. It's A-k-i-n-o-l-l-a.
11 Q. And the last word?
12 A. Sulaiman, that would be -- I believe
13 it's S-u-l-l-i-m-o-n or m-a-n. Akinola Sulaiman,
14 but we used to call him Akin.
15 Q. You called him the king?
16 A. Akin. A-k-i-n.
17 Q. Okay. I got it, Akin, okay. By the
18 way, getting back to your mother, did I ask you if
19 she works anywhere?
20 A. Yeah, I'm not for sure where she works.
21 Q. Do you have siblings?
22 A. Yeah, I have a sister and I have a
23 brother. He's deceased.
24 Q. Who is your sister?
25 A. That's Kristin McCowan.

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1 Q. How do you spell that?
2 A. Capital M, lower case C, capital
3 C-o-w-a-n.
4 Q. Does she live in the St. Louis area?
5 A. No, she doesn't.
6 Q. Roughly where does she live?
7 A. She stays in Seattle.
8 Q. How long has she been out of St. Louis?
9 A. Since she went off to college.
10 Q. How long ago was that about?
11 A. Well, she about 27. She's been in
12 college ever since she's been able to go to college,
13 so she's been in college for a while.
14 Q. How long ago did your brother pass
15 away?
16 A. My brother was murdered October 20th,
17 2008.
18 Q. What was his name?
19 A. His name was Vincent.
20 Q. What?
21 A. Vincent Leonard Ashford.
22 A-s-h-f-o-r-d.
23 Q. Where was he murdered? In the city, in
24 the St. Louis area?
25 A. He was murdered on the north side of

16 (Pages 61 to 64)

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1 St. Louis off of Goodfellow and Laura. L-a-u-r-a.
2 Q. I'm familiar with that. I'm very
3 familiar with that.
4 MR. HOLLAND: Mike, we've been going a
5 little over an hour. If you could find a place to
6 take a bathroom break, that would be fine.
7 MR. HUGHES: We can break any time. If
8 you want to break now --
9 MR. HOLLAND: Sure.
10 (Recess taken.)
11 BY MR. HUGHES:
12 Q. Mr. Furlow, have you ever been a
13 party -- have you ever been named in any civil
14 lawsuit, any, you know, either as a plaintiff where
15 you're suing or you're bringing an action against
16 someone or as a defendant?
17 A. Can you rephrase that for me?
18 MR. HOLLAND: Can you break it up,
19 plaintiff --
20 BY MR. HUGHES:
21 Q. Well, let's --
22 A. I don't understand.
23 Q. Let's go civil and criminal. Just tell
24 me any time you've -- you're aware that you were
25 supposed to go to court or you filed some sort of

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1 BY MR. HUGHES:
2 Q. Well, what about criminal cases?
3 A. What about them?
4 Q. Tell me about your exposure to the
5 criminal court system.
6 MR. HOLLAND: Are you asking about
7 convictions? Guilty pleas? Allegations?
8 BY MR. HUGHES:
9 Q. Yeah, we can start there.
10 A. So what's the question?
11 Q. Well, tell me about all the times
12 you've been convicted.
13 A. All the times that I've been convicted.
14 MR. HOLLAND: Why don't you ask him if
15 he's ever been convicted.
16 BY MR. HUGHES:
17 Q. Have you ever been convicted?
18 A. No, sir.
19 Q. Never been convicted of a crime?
20 A. No, sir.
21 MR. HOLLAND: Asked and answered.
22 BY MR. HUGHES:
23 Q. You've never pled guilty to a crime?
24 A. I've pled guilty to a crime.
25 Q. Tell me about those.

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1 action or someone filed something against you.
2 MR. HOLLAND: Kind of like this
3 litigation.
4 BY MR. HUGHES:
5 Q. Have you ever filed any lawsuits? Has
6 anyone ever sued you? Has anyone asked for a
7 protective order against you? Have you ever asked
8 for one against them? Have landlords ever sued you?
9 Just start going down the line.
10 MR. HOLLAND: Just do one question at a
11 time.
12 BY MR. HUGHES:
13 Q. Just try to start thinking about all of
14 the times you had some exposure to our court system.
15 MR. HOLLAND: That's overbroad. I'll
16 object as overbroad.
17 You can answer.
18 THE WITNESS: I think my landlord tried
19 to sue me.
20 MR. HOLLAND: Again, only if you know
21 or can recall.
22 THE WITNESS: I've -- I've sued -- I
23 believe I had a lawsuit against some people in my
24 life before. I've sued Breckenridge, me and a
25 couple other people. That's about it.

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1 MR. HOLLAND: I'm going to object, and
2 if you can ask a more specific question because he
3 obviously has plea agreements in connection with
4 these, which we don't have them, and I have to look,
5 but if you're going to ask broad questions, I'm
6 going to instruct my client not to answer. I have a
7 concern for violating said plea agreements.
8 MR. HUGHES: I have no idea what you're
9 talking about when you say "plea agreements."
10 MR. HOLLAND: Well, he just said he
11 pled guilty.
12 MR. HUGHES: Oh.
13 MR. HOLLAND: If you want to ask him
14 what the charges were.
15 BY MR. HUGHES:
16 Q. What did you plead guilty to?
17 A. I pled guilty to just a burglary.
18 Q. Anything else?
19 A. That's it.
20 Q. When was that?
21 A. I can't -- I don't remember the exact
22 date. I don't remember.
23 Q. Where was that?
24 A. What do you mean, where was that?
25 Where did I plead guilty at or --

17 (Pages 65 to 68)

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1 Q. Yeah. Was it in the Circuit Court of
2 the City of St. Louis?
3 A. St. Louis --
4 Q. Was it in the Circuit Court of
5 St. Louis County?
6 A. St. Louis County.
7 Q. St. Charles County?
8 A. St. Louis County Court.
9 Q. So as far as you know, you were only
10 convicted one time when you pled guilty to burglary
11 in St. Louis County Court? That's your testimony;
12 is that correct?
13 A. Yeah, I took a plea, yeah.
14 Q. And you just said you don't remember
15 the exact date. I don't want to ask the exact date,
16 but give me your -- give me the year.
17 A. I'm not for sure the year, but it's
18 documented somewhere. I don't -- I don't remember
19 the year.
20 Q. Where is it documented?
21 A. Courts, court secretary, and places
22 like that.
23 Q. Do you have any notes or diary of any
24 of your criminal cases?
25 A. No, sir.

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1 Q. Do you have any notes or diaries
2 regarding any cases where you sued people?
3 A. I might have some things about me suing
4 people.
5 Q. What do you have?
6 A. Just may have some paperwork I've
7 signed before.
8 Q. You may have some paperwork?
9 A. Yeah, I believe I have some paperwork
10 that I signed. I don't recall exactly what those
11 papers are because they're not in front of me.
12 Q. Do you mean you settled cases and then
13 you signed paperwork? Is that it?
14 A. It was more like I signed paperwork and
15 then we settled.
16 Q. Well, why don't I get to that shortly.
17 We're going over -- just asking you from memory,
18 how -- you went to Ritenour High School; is that
19 correct?
20 A. Yes.
21 Q. For how many years?
22 A. I went there for two years, in 10th
23 grade and 11th grade.
24 Q. Where did you go for 9th grade?
25 A. Ninth grade I went to Riverview Gardens

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1 School District, Riverview High School.
2 Q. Where were you living when you went to
3 Ritenour?
4 A. When I went to Ritenour, I stayed [REDACTED]
5 [REDACTED].
6 Q. [REDACTED] --
7 A. -- [REDACTED], [REDACTED]. That was --
8 that's in Overland.
9 Q. Who did you stay with?
10 A. I stayed with my aunt.
11 Q. Whose name is what?
12 A. Helena Webster.
13 Q. Why did you move with your aunt?
14 A. I don't know. I just -- me and my
15 auntie was always close. She kind of like -- like,
16 my mom used to work a lot. I used to go to my
17 auntie's house and stay the weekend. And, like, I
18 never used to want to go back, like, to my momma's
19 house because me and my auntie used to have a lot of
20 fun, and she used to buy me whatever I wanted and
21 stuff, like, from restaurants and stuff like that.
22 Q. How far -- did you drop out of Ritenour
23 High School, or were you let go?
24 A. Well, I moved -- I moved -- I completed
25 the 11th grade and then I moved. I moved to [REDACTED],

Page 72

1 [REDACTED].
2 Q. Why did you move out of your aunt's
3 house?
4 A. I think I started having, like,
5 relationship, like, with my kids' mother and things
6 like that, something like that.
7 Q. Who was LaDonna?
8 A. Yeah, who was LaDonna.
9 Q. So you voluntarily left high school to
10 have a relationship with your -- with LaDonna? Is
11 that what you're saying?
12 A. Not necessarily saying that. I
13 completed high school, and then when I got to the
14 city, I tried to go back, and they told me for my
15 12th grade year, it was -- let's just say they
16 wanted me to attend some night schooling before I
17 got -- because I kind of started school -- like,
18 that senior year, when I went to go finish my senior
19 year, I kind of went, like, six months after school
20 was in.
21 And they told me, they was, like, Hold
22 up, no way. They was like, No way, you just can't
23 come in and just jump into 12th grade like that. We
24 don't care if you completed the 11th grade at
25 Ritenour at night. They was, like, No way. You

18 (Pages 69 to 72)

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1 need to take these night classes at Beaumont after
2 all the kids are already gone. And I wasn't up for
3 it.
4 Q. So did you -- after 11th grade at
5 Ritenour, did you actually attend any high school in
6 the city?
7 A. I attended Beaumont. I attended -- I
8 went to a couple night classes to try to go graduate
9 in the 12th grade. I went and then I stopped. I
10 was seeing some crazy things, man.
11 Q. Now, I think I read in your -- oh,
12 before I get to that, this telephone number you
13 listed in answers to interrogatories, (314)361-7152,
14 tell me, what number is that?
15 A. That's the number I was telling you
16 about, like, when people call me for tires and stuff
17 like that. That's Latoya's grandmother's landline
18 telephone.
19 Q. So you started using Latoya's
20 grandmother's landline when you moved to Raymond; is
21 that correct?
22 A. Yeah.
23 Q. What?
24 A. Yep.
25 Q. So I know that, you know, from a police

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1 A. A plan -- yeah, we had a plan.
2 Q. You had a plan?
3 A. It used to be monthly.
4 Q. And that plan was with Metro --
5 A. Metro PCS.
6 Q. And where are they located?
7 A. They've got so many locations.
8 Q. Where did you go?
9 A. I paid a bill on Goodfellow. I paid a
10 bill right next to the bank, right next-door to the
11 Baden branch, the bank that I told you guys about
12 earlier. Metro PCS sits left of that. That's the
13 only two that I ever went to.
14 Q. And how about yourself? Your plan for
15 your cell phone?
16 MR. HOLLAND: I think that's what he
17 was just talking about.
18 THE WITNESS: Yeah, like, I just
19 remember just, like, paying bills on days that I had
20 to pay bills, like, maybe pay it with her, like, she
21 reminded me, we have to go here and pay a bill so
22 the phones won't get cut off. And I remember, like,
23 the phones being cut off and having to hurry up and
24 get to these locations.
25

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1 report that Latoya had a telephone number of
2 (314)349-0262. Do you remember that?
3 A. Not necessarily. I don't necessarily,
4 for me, with that telephone number, but I don't
5 really remember that telephone number.
6 Q. Where did Latoya have -- what provider
7 did Latoya have for her cell phone? AT&T or Verizon
8 or Cricket or some other cell phone provider?
9 A. Metro PCS or something. But it was
10 something before that, as far as I knew. I just
11 can't remember.
12 Q. Where did she go to get that provider?
13 A. I don't know. I wasn't with her.
14 Q. You went with her?
15 A. I wasn't with her.
16 Q. Do you know Latoya's cell phone number
17 when you lived on Maple, when you lived on Glen
18 Garry?
19 A. No, I don't remember any of those
20 telephone numbers.
21 Q. Do you have any records anywhere?
22 A. No, not -- no, I don't.
23 Q. Did she just buy minutes, or did she
24 actually, you know, have, you know, a Metro PCS
25 plan?

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1 BY MR. HUGHES:
2 Q. Well, you had a cell phone and Latoya
3 had a cell phone?
4 A. That's correct.
5 Q. So did you go to the same provider,
6 Metro PCS?
7 A. I paid -- I paid at -- we paid at the
8 same place. I'm pretty sure that -- that we got
9 hooked up at the same place.
10 Q. And when you paid there, did you pay in
11 cash or credit card or check or what?
12 A. I think most of the time it was in
13 cash. Very seldomly used a card. I think we
14 probably used a card, like, once or twice.
15 Q. Describe the cell phone you had when
16 you lived on Maple -- Maple and Glen Garry. Was it,
17 you know, a smartphone? Was it a flip phone? How
18 would you -- did it have a camera?
19 A. I think it was called an Android.
20 Q. Is that the same thing Latoya had?
21 A. Yeah, she had an Android.
22 Q. And what about [REDACTED]?
23 A. Now, [REDACTED], he had a phone. I
24 called -- it was a government phone.
25 Q. Did you ever have a government phone?

19 (Pages 73 to 76)

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1 A. Yes, sir.
2 Q. Was there any restrictions on your use
3 of the government phone?
4 A. No.
5 Q. You could use it any time you wanted?
6 A. Until you were -- okay, restrictions,
7 but when you used the minutes up, you can't use it.
8 You have to purchase minutes on your own, or you can
9 make that particular phone an unlimited telephone,
10 but I never did that.
11 Q. You were given a government phone with
12 a certain number of minutes that you did not have to
13 pay for?
14 A. Yes, sir.
15 Q. And if you went over that certain
16 number of minutes, then you would have to pay for
17 it?
18 A. Yeah, if you wanted to have a
19 conversation on the telephone.
20 Q. And how much -- how many minutes did
21 you have with the government phone?
22 A. They maybe give you 500 a month.
23 Q. Do you still have the government phone?
24 A. No.
25 Q. Why not?

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1 A. I don't know why I don't have it
2 anymore, but I don't have it anymore.
3 Q. Well, did the government take it away
4 from you, or did you just choose not to use it
5 anymore?
6 A. Once the minutes was used pretty much
7 and, like, at that time I got a better phone. I
8 think that's what my answer would be.
9 Q. And you got the better phone from
10 where?
11 A. Was it -- it was Boost before Metro
12 PCS, and then I heard about Metro PCS. So from the
13 government phone, it was just touch screen phones.
14 I thought the -- I thought the phones was better.
15 Q. It was just what?
16 A. Touch screen.
17 Q. Touch screen?
18 A. You know, just touch.
19 Q. So [REDACTED] got 500 minutes a month with
20 his government phone?
21 A. Uh-huh.
22 Q. "Yes"? You have to say "yes."
23 A. Yes.
24 Q. And the other children, do they have
25 government phones too?

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1 A. I think I got my son [REDACTED] a phone
2 like that maybe.
3 Q. When you got your son [REDACTED] and your
4 son [REDACTED] a government phone, did you go to some
5 government office to get it?
6 A. No, we just seen, I guess, some
7 government people set up like a little tent, and
8 they was saying, Free cell phones. That's what it
9 said on the tents, like, on the corner of the
10 Riverview Circle, pulled up, you have to show a food
11 stamp card.
12 At that particular time, I was able to
13 get the phone because I had received my own food
14 stamps with my own name on the card.
15 Q. You did have a food stamp card?
16 A. Yes, sir.
17 Q. Do you still have it?
18 A. No, sir.
19 Q. Why not?
20 A. Because I'm married, and it's illegal
21 to have my own food stamp card and my wife to have
22 her own food stamp card and we stay in the same
23 household. There's stipulations to being married
24 and having food stamps and things like that that you
25 have to abide by all them.

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1 Q. But your wife has a food stamp card?
2 A. We have a food stamp card.
3 Q. Okay. You and your wife together?
4 A. Yes, sir.
5 Q. You still do?
6 A. Yes, sir, but I don't have my own
7 personal.
8 Q. I understand now. Did you know the
9 telephone number of your government phone when you
10 lived on Maple, when you lived on Glen Garry?
11 A. Not the government phone, I don't
12 remember that telephone number.
13 Q. Do you have any records of it?
14 A. No, sir.
15 Q. And what about your -- your better
16 phone that you had?
17 A. The only way I remember that is because
18 that's the number that I used to use for the
19 business, and that was the 319-6802, area code 314.
20 Q. How long did you have that number,
21 319-6802?
22 A. Yes, sir.
23 Q. Do you know --
24 MR. HOLLAND: How long did you have it?
25

20 (Pages 77 to 80)

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1 BY MR. HUGHES:
2 Q. Is that when you lived on Glen Garry
3 and when you lived on Maple?
4 A. I think I started off with that
5 telephone number on Glen Garry -- you know, on Glen
6 Garry. I had had that number for a while.
7 Q. Do you still have that number?
8 A. No, I don't have that number.
9 Q. When did you stop?
10 A. I stopped that number sometime on
11 Maple.
12 Q. When?
13 A. On Maple.
14 Q. Why?
15 A. I kind of like just put business on
16 hold. I just -- I couldn't drive -- like I said, a
17 truck, I had problems with the truck, and the phone
18 was just ringing and ringing and ringing and
19 ringing, and I just switched the number. I was,
20 like, I had plans to start the business over.
21 Q. And when you stopped using that number,
22 319-6802, did you still use your government phone or
23 not?
24 A. No, government phone was, like -- I
25 probably only used that. When I first bought it, I

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1 probably only used it for a month.
2 Q. Okay. When you stopped using 319-6802,
3 what number did you use?
4 A. I had a -- I think it was a California
5 telephone number, but I don't remember the number,
6 but it was a 1323 telephone number.
7 Q. How is it that you got a California
8 telephone number that you used?
9 A. I don't know. They asked me when I --
10 when I got the phone because they told me that I
11 could do things like that, so I just -- I gave it a
12 try.
13 Q. When you say "they told me I could do
14 things like that" --
15 A. The Metro PCS people, the guys who
16 worked there. I forget how that conversation came
17 up about me being able to use numbers like that and
18 staying in Missouri, but it was possible.
19 Q. So they gave you a phone with a
20 California telephone number?
21 A. Yes, sir.
22 Q. And -- and that's when you lived on
23 Maple?
24 A. Yes, sir. Yes, sir.
25 Q. And do you still have that?

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1 A. No, sir.
2 Q. Do you have records somewhere showing
3 what that telephone number is?
4 A. No, sir.
5 Q. You don't have any billings or
6 paperwork?
7 A. (Shakes head.)
8 Q. A nod isn't recorded.
9 A. No, sir.
10 Q. So who called you at the California
11 telephone number?
12 A. No one, for real. Just so we could
13 have -- actually, we shared that telephone.
14 Q. We being who?
15 A. Me and my wife.
16 Q. My next question was going to be: Did
17 Latoya ever call you at that California telephone
18 number?
19 A. I remember us sharing that telephone.
20 Q. Did she ever call you at that
21 California telephone number?
22 A. She probably called me when she was
23 probably out at her grandmother's or her mom's house
24 or something like that.
25 Q. And did your two sons [REDACTED] and

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1 [REDACTED] call you at that California telephone
2 number?
3 A. Yeah, they called me from school.
4 Q. Let's see. I guess in answers to
5 interrogatories, I saw you -- 2007-2009, you lived
6 at [REDACTED]?
7 A. Uh-huh.
8 Q. Is that a "yes"?
9 A. Yes.
10 Q. And [REDACTED] is a single-family home?
11 A. Yes.
12 Q. And who lived there at the time?
13 A. [REDACTED], that's always been my
14 grandmother's house.
15 Q. Okay.
16 A. Me, my brother, stayed with my
17 grandmother.
18 Q. Is your grandmother still alive?
19 A. No, she's passed.
20 Q. Who lives at [REDACTED] now?
21 A. My grandmother's son stays there now.
22 Q. When you lived at [REDACTED] from 2007
23 to 2009, who else lived there with you and your
24 grandmother?
25 A. When she passed, her daughter moved in

21 (Pages 81 to 84)

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1 which is my grandmother's -- my mom's mom, so she
2 kind of like took her place, and it was just like --
3 the only person that was there was just me and my
4 brother and her husband.
5 Q. What was your grandmother's name?
6 A. Jeanette Simmons.
7 Q. And her daughter, her name is?
8 A. I'm sorry. My grandmother -- my great
9 grandmother's name was Helen Gibson, and her
10 daughter was Jeanette Simmons, which is my mom's
11 mother.
12 Q. So when you lived on [REDACTED], you lived
13 with Helen Gibson or Jeanette --
14 A. Helen Gibson.
15 Q. Okay. And then --
16 MR. HOLLAND: It's your great
17 grandmother?
18 THE WITNESS: Uh-huh.
19 BY MR. HUGHES:
20 Q. And then your great grandmother passed
21 and --
22 A. Her daughter moved in.
23 Q. And her daughter is Jeanette Simmons?
24 A. Yes.
25 Q. Why did you move out of [REDACTED]?

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1 A. I got a house -- I got an apartment
2 with LaDonna, 3600 block of McRee off of Grand.
3 Q. Is McRee, is that in South St. Louis?
4 A. Yes, sir.
5 Q. And just so we understand, [REDACTED],
6 that's near Goodfellow near Interstate 70; is that
7 correct?
8 A. Yes, sir.
9 Q. Is that close to the old Northwest High
10 School?
11 A. Yes, sir.
12 Q. And do they still have -- I should
13 know, is that still called Northwest High School, or
14 is that even open?
15 A. Actually, it's not even open anymore.
16 Q. Okay. Okay.
17 A. Surprised me, because I was trying to
18 get my little cousin enrolled in school, and they
19 sent him to a school down by West Florissant, and I
20 was, like, Northwest is closer. And they was just
21 telling me, That school closed down.
22 Q. Okay. You lived at the 3600 block of
23 McRee off of Grand with LaDonna when? When did you
24 begin living there?
25 A. Let's see. I believe that was in

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1 2000 -- I believe somewhere around, it was 2006.
2 Q. Okay.
3 A. That was 2006 when I first got that
4 apartment. 2006.
5 MR. HOLLAND: To the best of your
6 recollection.
7 THE WITNESS: That's because I had my
8 first son, was 2006. Something probably got messed
9 up along the line, but that's okay.
10 BY MR. HUGHES:
11 Q. How long did you live on McRee?
12 A. I don't know how long I lived over
13 there. It could have been a year until the lease
14 was up.
15 Q. And then what?
16 A. After McRee -- after McRee I stayed in
17 hotels.
18 Q. Why is that?
19 A. Because when the lease was up, I think
20 I was kind of like new to the situation, and we kind
21 of like didn't get a new house and some things like
22 that, and we didn't really know what to do for real.
23 So when it was time to move, we had to move, but we
24 didn't, like, renew the lease or nothing like that,
25 and when it was time to go, I was just working and

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1 stuff like that, so we had to move into a hotel.
2 Q. Tell me about the hotel.
3 A. First, we moved to a hotel on
4 St. Charles Rock Road. It was, like, a small hotel,
5 and then we had upgraded to one right up the street,
6 and then I upgraded to another one which was the
7 Northwest Inn.
8 Q. Isn't it kind of expensive to live in
9 hotels?
10 A. It really was. It was like \$900 a
11 month to stay in the Northwest Inn.
12 Q. At the Northwest Inn?
13 A. Yes. Yes, sir.
14 Q. Well, I only got 2007 to 2009, [REDACTED]
15 [REDACTED] because I think that was your answer to
16 interrogatories, so -- so, now that you've thought
17 about it, are you saying that you did not live on
18 [REDACTED], but you lived in hotels on St. Charles Rock
19 Road and another one and then the Northwest Inn?
20 A. Yeah, like, I think my ID stated that,
21 [REDACTED], because I kept that, and I used to use
22 that -- I used to use that a lot, you know, even
23 though I stayed in those hotels and people would ask
24 me when I was, like, in a place of business, like,
25 where did you stay at, you know, it would always

22 (Pages 85 to 88)

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1 come back to, you know, I'm staying at [REDACTED].
2 Q. But, in fact, you did not?
3 A. Yeah, because I didn't give hotel
4 addresses and stuff like that with my mail and
5 things like that.
6 Q. How long did you live at various
7 hotels?
8 A. I can't recall, but I stayed in hotels
9 for a while. I know I stayed in a hotel in 2008
10 because my brother -- when my brother was killed, I
11 got that news in a hotel and that's where I was
12 living then.
13 Q. What -- what hotel were you living at
14 when your brother was killed?
15 A. The Northwest Inn.
16 Q. Okay. And then, again, I'm reading
17 this. You lived in 2009 at [REDACTED]. Did you
18 really live there then, or were you living in
19 hotels?
20 A. 2009, like, I may have had some
21 incidents with my kids' mother where I went off and
22 stayed with my mom, kind of knowing that for a fact.
23 I was always, like, back and forth. I moved around
24 a lot.
25 Q. Tell me about these incidents you may

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1 have had with the kids' mother.
2 A. Just small little argument. Got to go.
3 Q. Small little argument and what?
4 A. I just left. Oh, man, I ain't got time
5 for this. Like, I would leave, stay gone a couple
6 days, whatever, maybe a week or two. Still pay for
7 the hotel and things like that. Probably, like,
8 have my friends, like, go to the front desk and pay
9 for, like, the hotels and stuff. She -- she
10 wouldn't know. She was just -- like I say, we was
11 staying in a hotel.
12 Q. When you'd pay at the hotel, did you
13 pay cash?
14 A. Yeah, we paid cash.
15 Q. And you were getting the cash from
16 where?
17 A. I was working. I was working at
18 Fazio's from 2006, I remember having that job, like,
19 when I had my first son, and I remember staying on
20 McRee working at Fazio's. I remember after having
21 to go to the hotel, I was still working at Fazio's.
22 I remember paying for the hotels working at Fazio's.
23 That's how I was even able to pay for the hotels.
24 Q. So, anyway, [REDACTED] is your mother's
25 place?

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1 A. Yes.
2 Q. So you would just list that as your
3 address, but you would not live there?
4 A. I don't think I ever, like, listed it,
5 like, as it was my address. I don't even know,
6 like -- I never listed it. I just know that, like,
7 when I got into it or something like that with her,
8 I stayed over there, I guess going over there. I
9 don't know what type of paperwork that I could have
10 signed for me to be able to come there and stuff
11 like that.
12 Like, in fact, like, I still get mail
13 at [REDACTED] right now to this day. I still got mail on
14 [REDACTED] when I stayed on Maple, and I went to the post
15 office several times to have it changed. And they
16 send me mail all over. They send me mail to --
17 they -- to [REDACTED]. They still send mail to Maple.
18 I don't even stay on Maple.
19 Q. But you've -- it appears to me that you
20 never really lived on [REDACTED] in 2009? You were
21 living in different places?
22 A. I probably stayed -- right, I stayed,
23 like -- I stayed there for weeks at a time.
24 Because, you know, I was coming there going to sleep
25 and I was eating and I woke up, eating breakfast,

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1 lunch, and dinner there, and I bathed there.
2 Q. With your mother? She fed you?
3 A. Yeah, she fed me. I had my own food
4 stamps then though.
5 Q. When you told the food stamp people
6 your address, what did you tell them?
7 A. I told them -- that was a situation
8 that came up, why my address got in the system like
9 that, because when I -- when I went to get those
10 food stamps, that's what came up. I had to let them
11 know that I stayed right here.
12 Q. Right here, where?
13 A. At [REDACTED].
14 Q. That was the address you gave them; is
15 that correct?
16 A. Yes, sir.
17 Q. On September 18th, 2009, you pled
18 guilty to assault third degree, violation of
19 565.070(3) and also (5). Do you recall that?
20 A. I don't recall that.
21 Q. You were sentenced to 30 days, and you
22 received a suspended execution of sentence and
23 placed on probation. Do you recall that?
24 A. 2009?
25 Q. Yep.

23 (Pages 89 to 92)

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1 A. I don't recall that.
2 Q. Who did you assault in September -- who
3 did you assault in 2009 that you pled guilty to?
4 MR. HOLLAND: He said he didn't recall.
5 THE WITNESS: I don't recall that.
6 BY MR. HUGHES:
7 Q. And --
8 A. Was that some type of a supervised
9 probation?
10 Q. No. I don't know that. I just know
11 that CaseNet public record, pled guilty third degree
12 assault.
13 In your answer to interrogatory
14 number 1(e), when you were asked, "Whether you have
15 been convicted or pled guilty to a crime consisting
16 of a misdemeanor or felony and, if so, the offense
17 of which you were convicted or to which you pled
18 guilty; the date of conviction or plea, and the name
19 and address of the court where you were convicted or
20 pled guilty."
21 The first thing that you answered under
22 oath in your answers to interrogatories was,
23 "St. Louis City Circuit Court. Guilty plea on
24 September 18th, 2009 to misdemeanor," and you just
25 put the charge R.S.Mo. 565.070, subdivisions (3) and

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1 don't know the names of people that was in the cases
2 or --
3 Q. Why don't we mark this as --
4 A. And I'm pretty sure for me to say what
5 I said, I seen documents on that.
6 (Exhibit A was marked for
7 identification.)
8 (Discussion off the record.)
9 BY MR. HUGHES:
10 Q. I want you first to go to the very last
11 page. And there's a verification saying that "The
12 foregoing answers are true and correct to the best
13 of my knowledge, information and belief. I verify
14 under penalty of perjury the foregoing is true and
15 correct, executed on the 30th day of" --
16 MR. HOLLAND: Mike, can I just stop you
17 for a second? His copy seems to have either extra
18 pages or not enough pages. It might be here that
19 this exhibit that you gave him has combined two
20 documents together. I don't know if you want to
21 take a look.
22 MR. HUGHES: I did. Thank you. I
23 don't know how that happened. I had a police report
24 that was combined on it.
25 MR. HOLLAND: This page.

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1 (5). So then I looked up what those -- what that
2 statute was and saw that it was assault third
3 degree.
4 So if you answered that under oath, you
5 obviously must have told your attorneys that you
6 pled guilty on September 18th, 2009. And your --
7 you answered that under oath just two weeks ago, or
8 slightly over two weeks ago, on January 30th, 2017.
9 So it's only about two weeks or slightly over two
10 weeks since you answered under oath that you pled
11 guilty to an assault charge.
12 A. Okay.
13 Q. So tell me --
14 A. I don't --
15 Q. So tell me about it.
16 MR. HOLLAND: Mike, I don't think he's
17 denying it. I think that could have come with --
18 from public records. I don't think he's denied it.
19 He's just telling you he doesn't recall it.
20 BY MR. HUGHES:
21 Q. Tell me who you assaulted.
22 A. Like, how you read it up, like, with no
23 names and things like that, with -- it's like --
24 it's -- it's information that's missing, so I can't
25 really -- I don't recall certain things. Like, I

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1 BY MR. HUGHES:
2 Q. The last page, there's a verification,
3 and it has a signature.
4 A. Yes, sir.
5 Q. Do you see that?
6 A. Yes, sir.
7 Q. Whose signature is that?
8 A. That's my signature.
9 Q. When did you sign that?
10 A. I can't recall. Let me see, it was,
11 like you say, a couple weeks ago.
12 Q. It says the 30th day of January, 2017.
13 Does that look correct to you?
14 A. Yes, sir.
15 Q. And when you signed it -- gosh, I see
16 there wasn't any notary public that signed it, but
17 you did indicate, you verified under penalty of
18 perjury that the foregoing is true and correct; do
19 you see that?
20 A. Yes, sir, I see that.
21 Q. So when you signed it, were you all
22 alone when you signed it, or were you with some
23 people?
24 A. I was with my lawyers.
25 Q. Okay. And they -- they didn't even

24 (Pages 93 to 96)

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1 notarize it for you; is that correct?
2 MR. HOLLAND: Objection.
3 BY MR. HUGHES:
4 Q. They just had you sign it, and they
5 told you it was under oath; is that correct?
6 A. I don't recall them saying things like
7 that. I don't -- I don't remember.
8 Q. Before you signed it, did you review --
9 A. Yeah, I talked about it with them.
10 Q. Okay. And not only did you talk about
11 it, did you look at your answers?
12 A. I had to -- he had to pull some things
13 up for me because I wasn't familiar with these
14 things like -- like, because when I read it and
15 before I signed it and stuff like that, he got on
16 the computer, and he -- he dropped some names and
17 things like that, and he asked me if -- some
18 questions and stuff like that about certain cases
19 and things like that.
20 Q. Okay. Like, response to interrogatory
21 number 1, why don't you go there. Do you see (a),
22 where it has your name, your social security number,
23 where you were born and when, and your present
24 address? Was that -- was that the truth, what you
25 answered there?

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1 A. Would you say that again, about my
2 name?
3 Q. It's got your name, Dwayne Dajuan
4 Furlow. It lists your social security number. It
5 lists where you were born and when, and it lists
6 your present address. Was that truthful?
7 A. Yes, sir.
8 Q. And then subsection (b), spouse, Latoya
9 Shadee, S-h-a-d-e-e, Patreice Furlow. Married from
10 December 10th, 2014 to the present. Was that
11 truthful?
12 A. Yes, sir.
13 Q. And then where it says, "Former
14 residence," it says, "dates approximated," and
15 starting in chronological order below that, you
16 know, at the bottom of that subsection (c), [REDACTED]
17 [REDACTED], St. Louis, Missouri, from 2007 to 2009. I
18 guess that really was not completely truthful now
19 that you tell us you were living in hotels.
20 A. It's pretty accurate.
21 Q. And then it says [REDACTED] from 2009 to
22 2013? Do you see that?
23 A. Yes, sir.
24 Q. That was not completely accurate, was
25 it?

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1 A. Are you saying [REDACTED]?
2 Q. Yes.
3 A. Like I said, it was -- it was other
4 instance where when I -- where when I stayed on
5 Maple, you know, I also resided at [REDACTED] from, like
6 I say, not only problems with LaDonna, I had
7 problems with Latoya.
8 MR. HOLLAND: He's just asking you
9 about these four years that were listed with [REDACTED].
10 THE WITNESS: So I stayed with my mom.
11 I stayed with my mom a lot.
12 BY MR. HUGHES:
13 Q. But you also had other addresses?
14 A. Yes, sir.
15 Q. And when you -- in 2007-2009, you were
16 living in several different hotels including the
17 Northwest Inn, right?
18 A. Yes, sir.
19 Q. And at times when you were living on
20 Maple, you were actually living on [REDACTED] also; is
21 that correct?
22 A. Yes, sir.
23 Q. And you just said that the reason you
24 were living on [REDACTED] is because you were having
25 problems with Latoya; is that correct?

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1 A. Yeah, I said that.
2 Q. So tell me about the problems that you
3 were having with Latoya.
4 A. Same thing as with LaDonna, man, you
5 know, small quarrels, man, threats, you know, she
6 would threaten me, things like that and of that
7 nature, and she would be loud and, you know, all out
8 in front of neighbors and stuff like that. And so
9 I -- you know, I left, man. I had the -- I used to
10 get away from things like that, a lot of accusations
11 and stuff or me cheating and things like that, all
12 types of things.
13 Q. And so you had the same problems with
14 LaDonna, where LaDonna would threaten you and she
15 would be loud in front of neighbors and make a lot
16 of accusations against you?
17 A. (Nods head.)
18 Q. You were nodding your head --
19 A. Yes, sir.
20 Q. -- but she has to record a "yes" or
21 "no."
22 A. Yes, sir, yes, sir. Yes, ma'am.
23 Q. So you also would --
24 A. And my normal life would start, you
25 know --

25 (Pages 97 to 100)

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1 MR. HOLLAND: Let him ask the question.
2 BY MR. HUGHES:
3 Q. And the accusations that Latoya would
4 make against you was she was -- that you assaulted
5 her; isn't that correct?
6 A. Can you say that again?
7 Q. Among the accusations that Latoya made
8 against you is that you assaulted her? You --
9 MR. HOLLAND: Are you --
10 BY MR. HUGHES:
11 Q. You beat her or you stomped her?
12 MR. HOLLAND: Are you talking about a
13 specific time? Date? When are you talking about?
14 BY MR. HUGHES:
15 Q. Yeah. Well, you were just talking
16 about when you lived on Maple -- on 1230 Maple, you
17 have it here listed from November 2015 to
18 November 2016, but you testified under oath that
19 during that period of time, you often lived on
20 [REDACTED] because of problems you had with Latoya.
21 And I asked you what those problems
22 were, and you said, Well, she would threaten me in
23 front of neighbors, she was loud, and she made a lot
24 of accusations. So did I state that pretty
25 accurately?

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1 A. Yeah, you stated that -- that's what I
2 said pretty accurately.
3 Q. And the accusations that she made
4 against you were that you hit her, you stomped her,
5 you assaulted her; is that correct?
6 MR. HOLLAND: While they lived on
7 Maple?
8 MR. HUGHES: Yes.
9 THE WITNESS: That's what the
10 accusations, saying, like -- she never -- she never
11 drew it up like that to me.
12 BY MR. HUGHES:
13 Q. She did make those accusations against
14 you?
15 A. I mean, she was making accusations,
16 like, for us, like, you know -- in those heated
17 moments, like, I'm going to leave. And she made
18 accusations, she would call my probation officer and
19 stuff like that and tell him this and tell him that,
20 and she made -- she said things like that.
21 Q. And she said she'd tell your probation
22 officer that you were beating her, striking her?
23 A. She said something like, I'll tell your
24 probation officer that you hit me and things like
25 that, yeah, she said things like that.

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1 Q. And how many times would you say she
2 made those accusations that you hit her?
3 A. See, this is Glen Garry, we never had a
4 problem. It was just -- it was --
5 Q. We're on Maple right now.
6 MR. HOLLAND: How many times while you
7 lived on Maple do you think she's made these
8 accusations?
9 THE WITNESS: Probably several times.
10 BY MR. HUGHES:
11 Q. And you said LaDonna made similar
12 accusations; is that correct?
13 A. Yes, sir.
14 MR. HOLLAND: And by "similar," do you
15 mean --
16 BY MR. HUGHES:
17 Q. By "similar," I mean that she said --
18 that LaDonna said you hit her also.
19 A. You was asking me a question?
20 Q. You have to answer.
21 A. What was the question?
22 MR. HOLLAND: Just repeat the question.
23 Sorry.
24 BY MR. HUGHES:
25 Q. LaDonna made similar accusations that

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1 you hit her; isn't that correct?
2 A. Are you saying LaDonna made similar
3 accusations that I hit her? I just know I was on
4 probation, you know what I'm saying, at a time in my
5 life with LaDonna, too, so she screamed out stuff
6 like, I'll call the probation officer and stuff like
7 that, things like that. That's what's similar about
8 LaDonna and Latoya.
9 Q. When she said she'd called the
10 probation officer, what did she threaten to tell the
11 probation officer?
12 A. I hit her, stuff like that.
13 Q. Did she ever threaten to tell the
14 probation officer you were involved in drugs?
15 A. No, sir.
16 Q. Now, again, we're still on response to
17 interrogatory number 1.
18 A. Okay.
19 Q. You know, we've gone through (a), (b),
20 (c), and (d), and then subsection (e) was whether
21 you have been convicted of or pled guilty to a crime
22 consisting of a misdemeanor or felony and, if so,
23 the offense for which you were convicted or to which
24 you pled guilty, the date of conviction or plea, and
25 the name and address of the court where you were

26 (Pages 101 to 104)

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1 convicted --
2 A. Uh-huh.
3 Q. -- or pled guilty. And then subsection
4 (e), your very first answer was, "St. Louis City
5 Circuit Court, guilty plea on September 18th, 2009
6 to Misdemeanor (R.S.Mo. 565.070 subdivisions (3) and
7 (5))." Did you see that?
8 A. Yes, sir, I've seen it.
9 Q. And you answered that under oath?
10 A. Yes, sir.
11 Q. Under penalty of perjury?
12 A. Yeah, I had documents in front of me
13 though. I had case -- I had, like -- I had more
14 than just -- I had case numbers, I had names, I
15 had -- you know, I had police reports and everything
16 in front of me, you know what I'm saying, from
17 like --
18 MR. HOLLAND: I just want to make the
19 record clear that he hasn't denied the existence of
20 any of these listed here. All he told you is that
21 he didn't recall. As I mentioned earlier, if these
22 are guilty pleas, which they say they are and he
23 hasn't denied, there are plea arguments. And if he
24 doesn't recall, I'm just very concerned about him
25 having to testify and possibly say something --

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1 MR. HUGHES: I've been around a long
2 time, but I don't know what you're talking
3 about when you say the plea agreements --
4 THE WITNESS: I just want to be more
5 specific --
6 MR. HUGHES: -- in front of a judge.
7 THE WITNESS: -- on what I pled guilty
8 to to you.
9 BY MR. HUGHES:
10 Q. So --
11 A. But I can't --
12 Q. This assault third degree that you pled
13 guilty of and you just -- and you just two weeks
14 ago, you answered this under oath, and you said you
15 had documents in front of you two weeks ago and
16 police reports. So tell me who it was that you
17 assaulted.
18 MR. HOLLAND: If you recall.
19 THE WITNESS: Who -- I don't really
20 remember that off the flip right now who I
21 assaulted. Looking at Exhibit (e) says
22 (reading ...) then it says, St. Louis County
23 Municipal Court guilty plea --
24 BY MR. HUGHES:
25 Q. Was it a stranger that you assaulted or

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1 was it a woman that you know?
2 A. That could have been --
3 MR. HOLLAND: I don't want you to
4 guess. If you recall, you recall.
5 THE WITNESS: Yeah, I really don't
6 recall because, like I say, I don't have the
7 paperwork in front of me that I had before these
8 papers were signed.
9 BY MR. HUGHES:
10 Q. Okay. You don't have -- once I saw
11 that, I looked up on CaseNet and saw that, for this
12 assault third degree that you pled guilty to and on
13 September 18th, 2009, that you were sentenced to 30
14 days. And then you received a suspended execution
15 of sentence and placed on probation. Does that
16 refresh your memory?
17 A. It really doesn't because me being put
18 on probation for that, like, I would have to see an
19 officer, so it must have been some type of -- what
20 kind of probation is that?
21 Q. Unsupervised?
22 A. It had to be unsupervised. I'm not --
23 it had to be unsupervised probation --
24 Q. All right.
25 A. -- because I remember each and every

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1 probation officer that I've ever had. And I
2 remember -- you know, not dates and things, but I
3 remember what I've been on probation for.
4 Q. Okay. And staying in subsection (e),
5 you said, "St. Louis County Municipal Court, guilty
6 plea on April 8th, 2013 to a Misdemeanor." Do you
7 remember what that was?
8 MR. HOLLAND: He's just asking if you
9 remember it.
10 THE WITNESS: No, I don't remember that
11 right offhand because --
12 BY MR. HUGHES:
13 Q. Okay. And then it says, "St. Louis
14 City Circuit Court, guilty plea on September 9th,
15 2013 to Misdemeanors (Revised Statutes of Missouri,
16 R.S.Mo. 195.202 and 575.150.)" Did I read that
17 correctly?
18 A. Yes.
19 MR. HOLLAND: He's just asking if he
20 read that correctly.
21 BY MR. HUGHES:
22 Q. Tell us about what those were for.
23 MR. HOLLAND: If you recall.
24 THE WITNESS: All that I can tell you
25 is that I was -- I was on probation for a possession

27 (Pages 105 to 108)

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1 case, possession of a controlled substance. I
2 believe I pled guilty to that in my life. I'm
3 not -- I'm not -- and they probably have resisting
4 arrest somewhere.
5 MR. HOLLAND: Don't talk in probabilities.
6 If you recall, you recall.
7 THE WITNESS: I recall they probably
8 had resisting arrest I probably pled guilty to,
9 along with the possession of a controlled substance.
10 So it's, like, because I'm seeing -- like I told you
11 with the -- with the burglary thing so ...
12 BY MR. HUGHES:
13 Q. Okay. And then -- but, anyway, that's
14 all you remember? It might be resisting and
15 controlled substance for that guilty plea in the
16 City Circuit Court, September 9th, 2013?
17 A. Could have been September 9th, or it
18 could have been -- yeah, it was -- it could have
19 been September 9th, or it could have been April 8th.
20 I'm not for sure. It's one of them. It should be.
21 It has to be.
22 Q. And -- and then it says, "St. Louis
23 County Circuit Court, guilty plea on August 29th,
24 2014 to Class C Felony 569.170 and Class C Felony
25 570.030." Do you see that?

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1 A. I guess that's the burglary.
2 Q. All right. And then why don't you go
3 back to the page before, and it says, "Whether you
4 have been a plaintiff in a lawsuit seeking damages,
5 and if so, when, where and in what court the
6 action" --
7 MR. HOLLAND: Where exactly are you,
8 Mike? Sorry.
9 THE WITNESS: Page before.
10 MR. HUGHES: You know, still on
11 interrogatory number 1. I'm just reading --
12 MR. HOLLAND: Which subsection?
13 MR. HUGHES: -- subsection (f).
14 MR. HOLLAND: Got it. Sorry.
15 BY MR. HUGHES:
16 Q. "Whether you have been a plaintiff in a
17 lawsuit seeking damages and, if so, when, where, and
18 what court the action was commenced." And you put,
19 "N/A." What does that mean?
20 A. N/A is like -- it's not -- I put that
21 down, like, if I don't have to really answer the
22 question.
23 Q. Well, were you -- well, you're a
24 plaintiff in this lawsuit; is that correct?
25 A. I believe so.

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1 Q. And any other lawsuits?
2 A. Yeah, I had another lawsuit.
3 Q. Tell me about it.
4 MR. HOLLAND: Maybe it will help you if
5 you go to interrogatory 8. I think he mentioned
6 this one earlier today.
7 BY MR. HUGHES:
8 Q. Prelitigation settlement in the amount
9 of \$50,000 for alleged civil rights violation by
10 City of Breckenridge Hills, Missouri; is that
11 correct?
12 A. Yes, sir.
13 Q. So when did you collect that \$50,000?
14 A. I don't remember that date. I don't
15 know. I'm not -- I'm not for sure.
16 Q. What year? Just last year? The year
17 before?
18 A. 2016 maybe. 2015 maybe, 2016.
19 MR. HOLLAND: Within the last two
20 years.
21 BY MR. HUGHES:
22 Q. So it was last year or the year before;
23 is that correct?
24 A. Yes.
25 MR. HOLLAND: We can try to figure out

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1 an exact date for you, Michael.
2 BY MR. HUGHES:
3 Q. And was that money used to pay child
4 support or what did you do with that money?
5 A. I started out buying a house and things
6 like that. I bought a couple vehicles. I bought
7 clothes for my kids.
8 Q. What vehicles did you buy?
9 A. I bought a truck and a car. I bought
10 the truck for the business so I could cut grass. I
11 bought my wife a car, but we shared the car. We
12 shared everything.
13 Q. What happened to that truck and the car
14 that you bought with that \$50,000?
15 A. I crashed the car. I parked it outside
16 of the house. And then I gave it back to the people
17 that I crashed it. I gave it back.
18 Q. Did you get sued by the people you
19 crashed into?
20 A. No, I had to pay, like, some type of --
21 I paid, like, a small fee because I had a car note
22 on that car. I had to pay, like, just the remainder
23 of the car note, and then they, like -- they took it
24 and they repaired the car for me, you know, where I
25 bought it from. They had a junk yard where I bought

28 (Pages 109 to 112)

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1 the car from, and they fixed it up, and they told me
2 that I could get that car again, but I never did get
3 it back.
4 Q. When you bought that truck, where did
5 you buy it from?
6 A. It was somewhere in Illinois.
7 Q. Did you buy it from a dealer, or did
8 you buy it from --
9 A. It was a dealer.
10 Q. Where in Illinois?
11 A. It was somewhere in Cahokia.
12 Q. Did you pay for it in cash, or did you
13 have a note?
14 A. I paid -- I put cash down on it.
15 Q. I don't mean just a down payment. Did
16 you pay -- did you pay for it in full?
17 A. No, sir.
18 Q. So you had -- you paid cash down and
19 then had a promise to pay on the note?
20 A. Yes, sir.
21 Q. Did you go through a bank or credit
22 company?
23 A. No, sir. I mean, they kind of -- I
24 guess they were -- they checked my credit and all
25 type of things like that --

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1 Q. Where did you send the car -- the
2 payments to? Did you pay it in -- future payments
3 in cash or did you send a money order or did you
4 send a check?
5 A. It was cash. I would drive off to a
6 place.
7 Q. Where did you pay the cash?
8 A. I don't know the exact address, but it
9 was somewhere off of Cahokia in Illinois.
10 Q. Did you have Illinois plates on your
11 truck or Missouri plates?
12 A. I never got a chance to get the plates.
13 The temp tags -- when I had the accident, the temp
14 tags never expired. I had the accident in the car
15 way before the temp tags even expired, so I didn't
16 have that car that long at all.
17 Q. I'm talking about the truck.
18 A. The truck? I believe that was from
19 Missouri.
20 Q. Do you believe it was a Missouri
21 license plate?
22 A. Yeah, but we never got to get the
23 actual plates on that car because that truck was
24 ruined too.
25 Q. How did that get ruined?

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1 A. I believe someone put some sugar or
2 syrup on the tank when we stayed on Maple, and it
3 caught fire on the highway.
4 Q. Do you know who put sugar in the tank?
5 A. I have no idea. I think it was syrup.
6 Q. And this is where -- this is when you
7 lived on --
8 A. -- Maple.
9 Q. Describe that truck.
10 A. White 2005 Envoy Luxury Sport.
11 Q. 2005 --
12 A. -- Envoy.
13 Q. Which is what? I know neighborhoods,
14 but I don't know trucks very well.
15 A. I think -- Envoy, is it a Chevy?
16 Q. And -- but the car you crashed; is that
17 correct?
18 A. My wife crashed it. I was in the car
19 with her.
20 Q. Where did this crash occur?
21 A. Riverview and Orchid.
22 Q. Riverview and Archer?
23 A. Orchid, O-r-c-h-i-d.
24 Q. Is that in the city?
25 A. Baden, that would be considered North

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1 County right there.
2 Q. Well, Baden is actually in the City of
3 St. Louis.
4 A. All my life -- yes, it's pretty close.
5 Q. Well, was it in Baden, or was it in the
6 county, North County?
7 A. Riverview and Orchid.
8 Q. All right. Did you spend all that
9 money? Is it all gone?
10 A. Yeah, it's gone.
11 Q. Did people come to you trying to get
12 money from you?
13 A. I had a few people I gave some money
14 to.
15 Q. Did you owe money, or did you --
16 A. Just, like, people that helped me out
17 and looked out for me and things like that, and so I
18 kind of returned the favor, so if I would ever --
19 Q. Who was that?
20 A. -- get back in a situation, they would
21 do the same thing.
22 Q. Who did you give money to?
23 A. I gave money to, like, my cousins, and
24 I gave money to my uncle and stuff like that, people
25 that helped me out.

29 (Pages 113 to 116)

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1 Q. Who is your uncle?
2 A. I gave money to my uncle Craig. I gave
3 money to my cousin Arvell.
4 Q. How do you spell that?
5 A. To my auntie Bonita. Arvell,
6 A-r-v-e-l-l. I gave money to his mom, Bonita.
7 Q. What's Craig's last name?
8 A. Craig Simmons.
9 Q. What's Arvell's last name?
10 A. Arvell -- I don't know his last name
11 because that's -- he's my cousin, but he's like --
12 he's not by my uncle. Like, my uncle has a son by
13 her, but, like, that's not his biological son.
14 Q. You gave money to your cousin named
15 Arvell, and you don't know his last name?
16 A. Yeah, his last name could be Thomas
17 like his mom's, but it's not the same as my uncle,
18 though, because that's not my uncle's biological
19 son.
20 Q. And then his mom is -- what's her name?
21 A. Her name's Bonita Thomas. And, like,
22 those people, like, when I call them now, if I need
23 anything and stuff like that, they, like, you know,
24 if I need bus fare or things like that, they come
25 and give it to me. If I need a ride somewhere

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1 sometimes, they come and do stuff like that.
2 Q. When we went through your employment
3 previously, you did not list any sort of handyman
4 service. But you did in your answers to
5 interrogatories. EZ Handyman Service.
6 A. Yeah. What do you want to know about
7 that?
8 Q. Well, tell me about that. It says
9 there, "EZ Handyman Service, December 2015 to the
10 present."
11 A. Okay.
12 Q. And you even list the name of a
13 supervisor --
14 A. Yes, sir.
15 Q. -- and phone number.
16 A. That's something like, okay, like, I
17 was jailed and, you know, remember I told you how I
18 was going to Scottrade Center?
19 Q. Yes.
20 A. They were calling me, but they weren't
21 calling me a lot. But I remember getting out of
22 jail, and they told me that, you know, like, they
23 don't know when the next time I'll be able to work
24 for the Scottrade Center because of my attendance
25 and things like that, like, they couldn't reach me

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1 and things like that.
2 So it's -- EZ Handyman Service came
3 about, like, that's a good friend of mine. His name
4 is Eric Dillon. I went to school with him. He's
5 licensed through the Secretary of State, and he does
6 all kind of things. And he just, like -- he, like,
7 help me out, like, we go work jobs together and
8 stuff like that. He was paying me cash until my
9 probation officer let him know that we have to start
10 showing documentation of that.
11 Q. Your probation officer said you have to
12 start showing documentation that you worked?
13 A. Yeah, because cash wasn't cutting it
14 for the probation officer. I don't know if he
15 didn't believe me or what the case may have been
16 but --
17 Q. So did you -- did you ever get paid
18 other than in cash by your good friend Eric Dillon?
19 A. Yeah. The first time I got a check we
20 emailed it. We emailed it to Mr. Boswell.
21 Q. Who's Mr. Boswell?
22 A. That's the probation officer.
23 Q. So you emailed to Mr. Boswell, your
24 probation officer, a copy of the check that you were
25 paid; is that correct?

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1 A. Yeah, scanned and emailed it to him.
2 Q. Huh?
3 A. It was scanned.
4 Q. Yeah, I understand. So did you just do
5 that once, or did you do that every time you got a
6 check?
7 A. We only did it once. I've got a couple
8 more to give him coming up this week.
9 Q. When you scanned him the check to
10 Mr. Boswell, the probation officer, how big was the
11 check?
12 MR. HOLLAND: You mean size or amount?
13 BY MR. HUGHES:
14 Q. How much was the check for?
15 A. That check right there was, like, \$68.
16 Q. And for the future checks, what are
17 they going to be for?
18 A. I don't know. We did some different
19 things last week. I'm not for sure. He only gave
20 me a little cash, do you know what I'm saying, this
21 time. So he told me just to wait until he could
22 write the check out.
23 Q. What's your job right now?
24 A. I guess working with Eric and may hook
25 a couple tire sales up.

30 (Pages 117 to 120)

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<p>1 MR. HOLLAND: By that you mean your</p> <p>2 personal tire business?</p> <p>3 THE WITNESS: Yes, sir, my personal</p> <p>4 tire business.</p> <p>5 BY MR. HUGHES:</p> <p>6 Q. Which in your answer to interrogatories</p> <p>7 indicates that you've been having this tire business</p> <p>8 self-employed since -- from February 2015 to the</p> <p>9 present; is that correct?</p> <p>10 A. Yes, sir.</p> <p>11 Q. So are you saying in response to this</p> <p>12 interrogatory that you've been making money, Furrow</p> <p>13 Tires, since February 2015 to the present?</p> <p>14 A. It's not -- it hasn't been like a daily</p> <p>15 thing but I have. I do make money still with these</p> <p>16 tires.</p> <p>17 Q. And it says EZ Handyman Service, 2015</p> <p>18 to the present. So you have been working Handyman</p> <p>19 since 2000 -- December 2015; is that correct or is</p> <p>20 it not correct?</p> <p>21 A. 2015 to the present. I only see where</p> <p>22 it says Furrow's Tire, LLC, February 2015.</p> <p>23 MR. HOLLAND: He's asking right --</p> <p>24 MR. HUGHES: Look above that.</p> <p>25 MR. HOLLAND: He's asking you when you</p>	<p>1 laid tile, we did drywall. We've done, like -- I've</p> <p>2 pulled up carpet. I've painted. I've wired some</p> <p>3 things on -- like, I know a dog had chewed up a</p> <p>4 thing at the bottom of a hot water tank, and we used</p> <p>5 some electrical tape and things like that to make it</p> <p>6 come back on and stuff, like, those kind of jobs.</p> <p>7 Q. Now, in interrogatory 4, we asked for</p> <p>8 the names of witnesses, and we asked for the names</p> <p>9 and addresses and telephone numbers of every person</p> <p>10 known by you, your attorneys, who witnessed the</p> <p>11 occurrence or occurrences mentioned in your lawsuit</p> <p>12 in your complaint and first amended complaint or who</p> <p>13 were present at the scene within 60 minutes of the</p> <p>14 occurrences either before or after, and designate</p> <p>15 which occurrences and designate which of such people</p> <p>16 actually claim to have witnessed the occurrences.</p> <p>17 Do you see -- did you understand that</p> <p>18 question when you read that?</p> <p>19 A. About the witnesses being there?</p> <p>20 Q. Yeah. For the things that you have</p> <p>21 sued about, who are the witnesses and who were</p> <p>22 present within 60 minutes before or after?</p> <p>23 A. My wife.</p> <p>24 Q. My question is: Did you understand</p> <p>25 that question when you read it and -- or when it was</p>
Page 122	Page 124
<p>1 started with EZ Handyman --</p> <p>2 MR. HUGHES: No, I'll ask the</p> <p>3 questions.</p> <p>4 MR. HOLLAND: Sorry about that.</p> <p>5 BY MR. HUGHES:</p> <p>6 Q. It says, EZ Handyman Service --</p> <p>7 A. I can't really --</p> <p>8 Q. Let me finish reading it, "EZ Handyman</p> <p>9 Service, December 2015 to present." And then it</p> <p>10 lists, "Eric Dillon, II, supervisor," and then it</p> <p>11 lists his telephone number.</p> <p>12 So here's my question: Is it correct</p> <p>13 or is it not correct that you have been working with</p> <p>14 and for EZ Handyman Service since December 2015 up</p> <p>15 to the present?</p> <p>16 A. That's -- that's pretty accurate.</p> <p>17 Q. And you mostly get paid in cash for</p> <p>18 that?</p> <p>19 A. Yeah.</p> <p>20 Q. And what sort of handyman things do you</p> <p>21 do?</p> <p>22 A. Well, when I first got with him, I</p> <p>23 really didn't know how to do nothing. He showed me,</p> <p>24 like, how to -- like, we did water heater work. We</p> <p>25 put doors on. We did, I guess, hot water tanks,</p>	<p>1 read to you by your attorneys?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Okay. And the only people you listed</p> <p>4 were your wife, Latoya, and a police officer Kevin</p> <p>5 Walsh. And as far as you know, I guess what you're</p> <p>6 saying is for what you're suing the police for, the</p> <p>7 only witnesses are your wife and one police officer;</p> <p>8 is that correct or is that not correct?</p> <p>9 A. That's correct.</p> <p>10 Q. Do you know what you're suing for in</p> <p>11 this lawsuit?</p> <p>12 A. Yes.</p> <p>13 Q. What?</p> <p>14 A. The -- the wanted.</p> <p>15 Q. When?</p> <p>16 A. I don't remember the exact date.</p> <p>17 Q. What incident?</p> <p>18 A. Of just Walsh putting a wanted for</p> <p>19 questioning in the system for me after charges --</p> <p>20 after charges wasn't -- after the -- he was informed</p> <p>21 that charges didn't want to be pressed against me.</p> <p>22 Q. This involves accusations that your</p> <p>23 wife, Latoya, made about you hitting her; is that</p> <p>24 correct?</p> <p>25 A. Yes, sir.</p>

31 (Pages 121 to 124)

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1 Q. Or assaulting her?
2 A. Yes, sir.
3 Q. So as far as you know, is that all
4 you're suing for is that incident and subsequent to
5 that?
6 A. I believe so. It could be some other
7 things that run hand in hand with this, but I think
8 this is -- this is the main thing, though, right
9 here.
10 Q. All right. Let me go through some
11 things. Let's try to move along.
12 Getting back to your plea of guilty on
13 September 9th, 2013 for controlled substance and
14 also for resisting, you remember you talked a little
15 bit about that; is that correct?
16 MR. HOLLAND: I'll just object that he
17 said those could have been what they were, but he
18 didn't recall exactly. But you can answer his
19 question.
20 THE WITNESS: Yeah --
21 MR. HUGHES: Is that an objection as to
22 form, or are you trying to help him with his answer?
23 MR. HOLLAND: I was just trying to --
24 it would have been objection, misstates the
25 testimony, and I was just trying to make sure it's

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1 clear on the record.
2 THE WITNESS: So like I say --
3 MR. HUGHES: What was his answer?
4 (Record read by the reporter.)
5 THE WITNESS: So if you can repeat the
6 question.
7 BY MR. HUGHES:
8 Q. Do you remember talking a little bit
9 about the --
10 A. Possession?
11 Q. -- the possession? Yeah, you didn't
12 say "possession." You said controlled substance,
13 but I'll -- I'll go with that, possession of a
14 controlled substance --
15 A. Uh-huh.
16 Q. -- and resisting, and you pled guilty;
17 is that correct?
18 A. Yeah, I remember pleading guilty to
19 those charges.
20 Q. Okay. And just so we understand, you
21 were arrested in the City of St. Louis by City of
22 St. Louis police officers for that; is that correct?
23 A. Yes, sir.
24 Q. And where were you in the City of
25 St. Louis when you were arrested for possession of a

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1 controlled substance and resisting?
2 A. I was on [REDACTED].
3 Q. All right. Did the police come to your
4 house or -- on [REDACTED], or how did they find you with
5 marijuana or whatever the controlled substance was?
6 A. I think they -- they found it on the
7 ground. It was close to me.
8 Q. All right. And then did you try to run
9 away?
10 A. Yeah, I ran away.
11 Q. And that's why you were charged with
12 resisting?
13 A. Yeah.
14 Q. And then you pled guilty in front of a
15 judge named Mark Neill; do you remember that?
16 A. No, sir.
17 Q. You don't have any memory of this judge
18 that was just three and a half years ago?
19 A. No, sir.
20 Q. You know you pled guilty in front of a
21 judge. You just don't remember who the judge was or
22 what he or she looked like; would that be a fair
23 statement?
24 A. I don't remember what they looked like,
25 but I have signatures and stuff with -- with their

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1 names and stuff on old documents and stuff like
2 that.
3 Q. You still have those?
4 A. Yes, of that particular case.
5 Q. So --
6 A. I don't know if it's him. I don't know
7 if his -- I don't know that particular case.
8 Q. But you could look -- the -- the public
9 records you can find on what's known as CaseNet
10 indicate you were sentenced by Judge Neill to two
11 years, and then that sentence of two years was -- it
12 had suspended execution of sentence and you were
13 placed on probation. Does that sound correct to
14 you?
15 A. Yes, sir.
16 Q. And the address that you gave to that
17 judge in the City of St. Louis Circuit Court then
18 was [REDACTED]. Does that sound correct?
19 A. I don't recall what address I gave.
20 Q. Well, is that the address that you
21 always told your probation officer? I think you
22 said his name was Boswell. Is that what you'd
23 always tell Mr. Boswell where you live?
24 A. When I got put on probation and stuff,
25 I really -- I told him that I relocated and stuff

32 (Pages 125 to 128)

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1 like that. He was supposed to come out and do a
2 home visit. He never did. He was supposed to come
3 out on [REDACTED] and do a home visit. He never did.
4 Q. Your answer to interrogatory 1(c)
5 indicates that in October 2016, you moved to 116
6 Glen Garry. So my question to you is: Why did you
7 move to 116 Glen Garry?
8 MR. HOLLAND: I think you said in 2016
9 when maybe you meant 2013.
10 BY MR. HUGHES:
11 Q. Oh, I apologize. I meant 2013. The
12 answer to interrogatory says 116 Glen Garry,
13 St. Louis, Missouri, beginning October 2013. So
14 tell me --
15 A. Why from [REDACTED] to Glen Garry?
16 Q. Yeah.
17 A. I think I had just met Latoya.
18 Q. You were not yet married?
19 A. No, sir.
20 Q. And did she move with you?
21 A. That was her home.
22 Q. Oh, so she had already lived on Glen
23 Garry?
24 A. Yes, sir.
25 Q. So you moved in with her?

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1 A. Yes, sir.
2 Q. And that -- was that a house?
3 A. Yes, it was a house.
4 Q. Did your wife own the house?
5 A. No, sir.
6 Q. Did she rent it?
7 A. No, she was renting that house.
8 Q. How much was the rent?
9 A. The rent of that house was, like, the
10 legal rent of that house was, like, \$900-some.
11 Q. Who was the landlord?
12 A. I don't recall that person.
13 Q. Did you pay the landlord in cash or --
14 A. We paid the company in a check form.
15 Q. It was a money order or check from a
16 bank?
17 A. It was a money order. Paid the company
18 for the lease, whatever it was called.
19 Q. Okay. Why did you move out of Glen
20 Garry?
21 A. Why did I move out of Glen Garry? I
22 felt that I was being harassed by St. Louis County
23 police.
24 Q. Huh.
25 A. They didn't seem like they were fair

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1 A. Yes, sir.
2 Q. And you had just met her?
3 A. Yeah, I used to come over and stuff,
4 like, I went -- I mean, I wouldn't say I straight
5 stayed there, but --
6 Q. When you moved in with her, did she
7 have two children living with her already?
8 A. Yes, sir.
9 Q. And when you moved in with her, you
10 just moved in by yourself initially; is that
11 correct?
12 A. Yes, sir.
13 Q. So you did not bring your other kids
14 with you when you moved into Glen Garry?
15 A. No, sir. They -- they -- they
16 stayed -- maybe they stayed on Roosevelt somewhere
17 with their mother at this particular time.
18 Q. Did they ever move into Glen Garry?
19 A. Yes, sir.
20 Q. When?
21 A. I don't know the exact date, but they
22 moved in on Glen Garry.
23 Q. All right. You lived on Glen Garry,
24 according to your answers to interrogatories, for
25 two years; is that correct?

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1 with me.
2 Q. That's why you moved out of Glen Garry?
3 A. Yeah, and plus, you know, a couple
4 times they told me that they wanted me to leave.
5 Q. Well, let's -- I'll have to explore
6 that in a second.
7 While you were on Glen Garry,
8 apparently, on April 8th, 2014, you were pulled over
9 by the Breckenridge Hills police; is that correct?
10 A. Yes, sir, I believe --
11 MR. HOLLAND: Don't guess if you
12 recall --
13 THE WITNESS: That could be the date.
14 I'm not for sure --
15 BY MR. HUGHES:
16 Q. Well, I was just reading a newspaper
17 article --
18 MR. HOLLAND: He's not referring to
19 this --
20 THE WITNESS: Okay.
21 BY MR. HUGHES:
22 Q. -- that says --
23 MR. HOLLAND: He's asking you.
24 BY MR. HUGHES:
25 Q. -- in -- that said you were driving on

33 (Pages 129 to 132)

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1 Woodson Road and got pulled over by Breckenridge
2 Hills police. Does that sound correct, that you
3 were driving on Woodson Road and got pulled over by
4 Breckenridge Hills police?
5 A. My wife was driving. She wasn't my
6 wife at the time.
7 Q. Your wife was driving, okay.
8 Why did the Breckenridge Hills police
9 pull over your car?
10 A. I really don't know why they pulled us
11 over, but they -- they told us when they did pull us
12 over that this gray Grand Prix was in some type of
13 altercation. They never told me the altercation.
14 Q. The police asked you for
15 identification?
16 A. Yes, sir.
17 Q. And according --
18 A. But first they asked me -- they asked
19 me was my name something that wasn't my name.
20 Q. Well, according to the article that I
21 read, you gave the police a false name. Is that
22 what you did?
23 A. No, sir.
24 Q. When they asked you for your
25 identification, what name did you give them?

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1 A. I just replied that who they thought
2 that I was, that's not me, and I continuously said
3 that. And then he told me that if -- yeah, I just
4 kept saying that. He said, Well, you're going in as
5 John Doe. So he did that on his own.
6 Q. Did you have identification with you at
7 the time?
8 A. Yeah, I had an ID.
9 Q. Did you show it to the --
10 A. It was in the sunroof. I never got a
11 chance -- it was in the sun visor. I never got a
12 chance to show it to him.
13 Q. All right. And then I see that,
14 according to CaseNet, August 21st, 2014, a paternity
15 action was filed against you in the Circuit Court of
16 the City of St. Louis filed by the Missouri Family
17 Support Division. And then a default judgment was
18 entered against you?
19 A. What's a default judgment?
20 Q. Well, they entered a judgment, you
21 never answered. Do you recall that Missouri Family
22 Support Division filed an action against you and got
23 a judgment ordering you to pay child support?
24 A. I don't recall that.
25 Q. Okay. And then August 29th -- oh,

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1 getting back to the Breckenridge Hills, when you
2 were pulled over by them, you were on probation;
3 isn't that correct?
4 A. Yes, sir.
5 Q. From that case in the city? Okay. And
6 then on August 29th, 2014, in St. Louis County, was
7 your guilty plea to burglary second and to stealing?
8 Does that sound correct to you?
9 A. It sounds correct about the guilty
10 pleas, but I don't know the dates now.
11 Q. All right. And when you entered a plea
12 of guilty to burglary second and to stealing, you
13 were sentenced to four years, and then you had a
14 suspended execution of sentence and placed on
15 probation for five years. Does that sound correct
16 to you?
17 A. Yes, sir.
18 Q. And you know that burglary second means
19 that you knowingly entered unlawfully into -- into a
20 building for the purpose of committing a crime?
21 A. I didn't know that it means that. I
22 didn't know that it means that.
23 Q. But you did go into someone else's
24 building for the purpose of committing a crime? And
25 you pled guilty to that; is that correct?

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1 A. I --
2 MR. HOLLAND: Well, why don't you just
3 ask him. I mean, he pled guilty --
4 MR. HUGHES: I asked a question.
5 THE WITNESS: What was the question,
6 sir?
7 MR. HUGHES: Why don't you read the
8 question.
9 (Record read by the reporter.)
10 THE WITNESS: No, I didn't go into
11 someone else's building then to take someone else's
12 property, but I did plead guilty to it.
13 BY MR. HUGHES:
14 Q. Why did you plead guilty?
15 A. Stress and financial situation. I just
16 wanted to hurry up and get this thing -- I wanted to
17 get it out of my life. I felt like I was kind of
18 railroaded.
19 Q. You were represented by an attorney;
20 were you not?
21 A. Yes.
22 Q. Did you hire the attorney or was this a
23 public defender?
24 A. I hired an attorney. I really couldn't
25 afford the guy. We had money problems.

34 (Pages 133 to 136)

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1 Q. That charge where you got four years, a
2 sentence of four years and then placed on probation,
3 that is now scheduled for probation violation
4 hearing next month; isn't that correct?

5 A. Yes, sir.
6 (Recess taken.)

7 BY MR. HUGHES:

8 Q. I might have already covered this, but
9 you and Latoya got married December 10th, 2014; is
10 that right?

11 A. Yes, sir.

12 Q. Where did you get married?

13 A. Down -- down here, downtown.

14 Q. You got a marriage license in the City
15 of St. Louis?

16 A. Yes.

17 Q. Did you -- who performed the ceremony?

18 A. I don't know his name. Not --

19 Q. Is it a minister? Was it a judge? Was
20 it someone --

21 A. Judge.

22 Q. -- who just has a --

23 A. Judge.

24 Q. -- license?

25 A. A judge.

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1 MR. HOLLAND: Do you mean Latoya, not
2 Janet?

3 MR. HUGHES: Latoya, yes, I do. I
4 apologize.

5 BY MR. HUGHES:

6 Q. Were you and Latoya aware that you
7 could go to the precinct station to apply for an ex
8 parte --

9 A. Would that be --

10 Q. -- order of protection?

11 A. Would that be an extension?

12 Q. I don't know what you mean by that.

13 A. Because I'm confused on, like, what --
14 what you're asking us about.

15 Q. If you want to get to an order of
16 protection, you and Latoya know what to do. Would
17 that a fair statement?

18 A. Yeah, I'm pretty sure they let us know
19 that we can do that.

20 Q. And at least one time she went to the
21 police station to get things started; isn't that
22 right?

23 A. Yes, because we had a problem again
24 after the -- we called on her for something that she
25 did, but the -- but when the police arrived, he told

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1 Q. Was it a judge in the city?

2 A. Yes, sir.

3 Q. Okay. And then I saw that -- I read
4 that on August 26th, 2015, Latoya -- Latoya went to
5 the North County precinct, St. Louis County police
6 station to file, like, a protective order against
7 Janet Virgin. Did you know that?

8 A. Yes.

9 Q. Did she talk to you about it?

10 A. Yes, sir.

11 Q. And the police were very nice to your
12 wife; isn't that correct?

13 A. I just know they were cordial. I don't
14 know if they were being nice. I just know they were
15 just being cordial.

16 Q. I'll accept that they were cordial.
17 And then after Latoya went to the North County
18 precinct, there was a police officer, about five
19 days later, who served Janet Virgin with an ex parte
20 order. Are you aware of that?

21 A. Yes, sir.

22 Q. So, you and Janet were aware that you
23 could go to the police station to get -- apply for
24 an ex parte order in addition to going to the family
25 court? Would that be a fair statement?

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1 us that it's not in effect, that we would have to
2 go. So I think that's when she went to the police
3 station, because I don't think that we was aware
4 that we had to go.

5 We thought that once we left downtown
6 and sat down there all those hours to get the
7 restraining order done, we thought the next time she
8 caused us trouble that we can just call them out
9 there and they would do something about it. But
10 when we made that call to them, they let us know,
11 oh, it's -- you have to do this after you do that.

12 Q. You had gone downtown previously to get
13 some sort of order?

14 A. A restraining order.

15 Q. Okay.

16 A. Clayton, I think it was.

17 Q. And, now, I saw two newspaper articles
18 written by a reporter for St. Louis Post Dispatch
19 about you and Latoya and your children. Were there
20 just two newspaper articles, or were there more than
21 two?

22 A. Could have been two.

23 Q. You're familiar with those articles?

24 A. Yeah, I'm familiar with it.

25 Q. And you talked to the newspaper

35 (Pages 137 to 140)

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1 reporter yourself?
2 A. Excuse me. Yes, I did.
3 Q. And she came into your home?
4 A. Yes.
5 Q. And then she wrote an article about it;
6 is that correct?
7 A. Yes.
8 Q. And then a follow-up article?
9 A. Yes.
10 Q. First newspaper article I saw was
11 September 6th, 2015. Does that sound about right to
12 you?
13 A. I don't remember the exact date, but
14 that sounds about right.
15 Q. And she talked about your two children
16 in your home, [REDACTED], age seven, she said then, and
17 [REDACTED], age 11?
18 A. Uh-huh.
19 Q. Did you read that?
20 A. Yes, sir.
21 Q. So back then you had two children
22 living in the home, [REDACTED] and [REDACTED], and they
23 were -- they are Latoya's children?
24 A. Yeah, I think that particular time they
25 were -- they were visiting -- my kids were visiting

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1 with their grandparents and stuff like that. I
2 think that was the beginning of the time when they
3 had just come to stay with us., but they weren't
4 present on the day the news lady came to the house.
5 Q. You say they were staying with
6 grandparents?
7 A. I think they was with me. They was
8 already staying with me, but I think that that
9 particular day, on the weekend, when the newspaper
10 reporter came over that my kids wasn't present, so
11 they wasn't in the article.
12 Q. Do you know where -- now, when they're
13 not present, do you mean they sometimes stay with
14 some grandparents?
15 A. No. Like, grandparents would be, like,
16 you know, Can they come over for a weekend? Like,
17 my kids' mom grandmother would ask if they could
18 spend some time with them for the weekend and stuff,
19 and I think that was a particular time where my kids
20 were -- because we had let the lady know, Hey, my
21 kids -- my other kids aren't here, you know, do you
22 want to reschedule or something like that? And she
23 was like, No, it's fine, she was like, Whoever is
24 there.
25 Q. And did your wife go to court, actually

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1 go to court against Janet Virgin?
2 A. I believe so.
3 Q. And was Janet Virgin in court, as far
4 as you know, one way or the other?
5 MR. HOLLAND: Are you talking about a
6 specific time period?
7 BY MR. HUGHES:
8 Q. When your wife tried to get, you know,
9 on a -- some sort of an order against Janet Virgin,
10 you know, if she started -- I guess August 26th she
11 went to North County precinct station, and then a
12 police officer served Janet with the papers, and
13 then there was a court appearance after that. And
14 your wife attended that; is that right?
15 A. I don't know if she attended. I don't
16 know if the lawyers may have attended.
17 Q. Do you know one way or the other? Did
18 you attend?
19 A. I didn't attend.
20 Q. But do you know if your wife attended?
21 A. I'm not for sure if she attended.
22 Q. Do you know if Janet Virgin attended?
23 A. No, I don't know if she attended
24 either.
25 Q. Okay. Well, let's go about two months

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1 after that, November 11th, 2015. It's a Wednesday.
2 Do you remember that date?
3 A. No.
4 Q. That's the date you had an incident
5 involving Janet Virgin and you and some children,
6 and a cab driver was nearby?
7 A. Yeah.
8 Q. Now, you remember that date, right?
9 A. Yeah.
10 Q. All right. You lived at 116 Glen Garry
11 Road that day?
12 A. Yes, sir.
13 Q. All right. By the way, you were still
14 telling your probation officer you lived on [REDACTED]
15 [REDACTED] then; isn't that right?
16 A. Like I told you, remember when I told
17 you that, like, I couldn't actually say that I was
18 really living with Latoya? I have, you know, I
19 couldn't really say that. She just -- she was doing
20 things for me, you know, that I really appreciated
21 though.
22 Q. Why couldn't you tell your
23 probation officer that you were really living with
24 Latoya?
25 A. Because, like, he was like -- he wanted

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1 to know like -- he was going to -- he was getting
2 puzzled and stuff. He wanted to know, like, Hey,
3 what's going on, man? Where are you staying? And
4 when I told him, he was, like, What's the address?
5 Where do you stay?
6 And then I gave him a final address.
7 And I was, like, Man, I stay with my mom, you know,
8 and he was, like, Okay. Well, I'm going to come out
9 and I'm going to do a home visit, this, that, and
10 the other thing. And he contacted my mom and she
11 verified things for me, and I never got the home
12 visit from Boswell.
13 Q. Do you know your -- a telephone number
14 of Mr. Boswell?
15 A. Yes.
16 Q. What is it?
17 A. It's 877-2602, then I would press zero,
18 and then I would ask for Mr. Boswell.
19 Q. By the way, you're attending drug
20 classes right now, aren't you?
21 A. No, sir.
22 Q. In November you were attending drug
23 classes, weren't you?
24 A. Yes, sir.
25 Q. Where were those drug classes?

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1 A. They were in Breckenridge at the
2 Community Action Agency building.
3 Q. You're involved in drugs? You had a
4 drug problem?
5 A. I had a dirty urine drop for marijuana.
6 Q. I'm sorry, what?
7 A. I had a dirty urine drop, a dirty drop.
8 Q. I don't know what that is.
9 A. I had to pee inside of a cup.
10 Q. Oh.
11 A. And I had marijuana in my system.
12 Q. Yeah.
13 A. And they only found the marijuana in my
14 system, and it was in the stipulations that I had to
15 go to the drug treatment class.
16 Q. Who made that stipulation? Your
17 probation officer?
18 A. Yeah, Mr. Boswell.
19 Q. Okay. Getting back to November 11th,
20 2015, Janet Virgin lived next door to you?
21 A. Yes.
22 Q. Is there some sort of relationship with
23 your wife and her or you, you know, some -- like,
24 sisters, boyfriend, or, you know, some sort of
25 friend, or was she a complete stranger when you

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1 moved into the neighborhood?
2 A. When I moved into the neighborhood, she
3 seemed that she was a good friend.
4 Q. Is there some jealousy or relationships
5 somewhere between your wife and Janet Virgin?
6 A. I believe I began to see Janet to
7 become jealous, of my own opinion.
8 Q. Why is that?
9 A. Maybe because she had different men
10 come over to her house, like, every day, every
11 different day, and then, you know, me and Latoya was
12 just -- it was just me and Latoya every day all day
13 all through the week.
14 Q. Did Janet and Latoya ever date the same
15 man ever or anything like that?
16 A. That right there I don't know.
17 Q. Why don't you describe Janet Virgin.
18 MR. HOLLAND: Physically?
19 THE WITNESS: Physically?
20 BY MR. HUGHES:
21 Q. Yeah, well, first of all, her race.
22 A. She's -- she's a dark brown complected
23 woman. She's --
24 Q. African American?
25 A. African American. She's -- she's --

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1 Q. Age?
2 A. I don't -- I don't know how old she is.
3 But she's a thin woman, a real thin woman. Skinny.
4 She wears glasses. That's about it. She's probably
5 about -- I don't know how tall she is. I can't say.
6 She's so thin. She almost -- she's probably about
7 five 11, she could be.
8 Q. She was -- I read she was 31 years old
9 on this date. Does that sound about right?
10 A. I'm not -- I don't know how old she
11 was.
12 Q. But she's in her upper 20s or early
13 30s?
14 A. Yeah.
15 Q. Would that be a fair statement?
16 A. Yes, sir.
17 Q. And were any of your kids going to
18 school this day?
19 A. Yeah. It was -- if it was a school day
20 they were.
21 Q. I don't know if it was or not.
22 A. Was it a weekday?
23 MR. HOLLAND: I think he said it was a
24 Wednesday.
25

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1 BY MR. HUGHES:
2 Q. It was a Wednesday.
3 A. So pretty much depending on the timing,
4 they were either going to school or coming from
5 school.
6 Q. You don't remember the time?
7 MR. HOLLAND: The time of what?
8 BY MR. HUGHES:
9 Q. The time of any incident involving
10 Janet Virgin and your kids or other kids.
11 A. No, I don't remember the time.
12 Q. Do you remember if it was the morning
13 or afternoon or nighttime?
14 A. I had an incident with her one morning.
15 I don't remember the time, though, and I don't --
16 Q. Tell me about the incident you had with
17 her one morning.
18 A. One morning I woke up. My kids wanted
19 me to get -- help them get ready or whatever, sent
20 them to walk to school. I was still in bed. I
21 heard, like, rowdiness outside, you know, like there
22 was an altercation.
23 I looked out the window. I didn't see
24 anything, but I still heard things. So as I got out
25 of the window, I was still hearing things from

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1 was going to be on its way, that you don't leave and
2 go back outside until the cab pulls up.
3 I left, me, Latoya, my daughter, we
4 left. I got a call from [REDACTED], which is my
5 stepson, and he was crying, and he let me know that,
6 Could you believe when I was going into the cab,
7 that while I was getting in the cab, opening the
8 door and sitting down, she held the door open and
9 she was hitting me with the belt in my face and
10 punching me in the face.
11 MR. HOLLAND: Who do you mean by "she"?
12 THE WITNESS: Janet. Janet was doing
13 this. So I asked [REDACTED], I said, Well, did the cab
14 driver see any of this? And he said, Yeah, he seen
15 it. He's right here. I said, Put the cab driver on
16 the phone. He said, Here, my dad wants to talk to
17 you.
18 I asked the cab driver, what was he --
19 what did he see? He was -- he was, like -- he was
20 in shock to the situation. He was, like, he can't
21 leave until the police get here. He has to report
22 this to the school. So he couldn't leave, you know,
23 because in his stipulations if he was to have a
24 problem like that, he has to call the police. He
25 can't -- he can't just take [REDACTED] to school and

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1 outside in the house, so I proceeded to the front
2 door. And when I came out the front door, I looked
3 to the right where Mrs. Janet stayed at, and that's
4 when I seen Janet swinging the belt at my kids. My
5 kids were on her property right there. They were
6 swinging the belt -- she was -- Janet was swinging
7 the belt, smacking my kids in the face. She was
8 smacking them in the face, all -- all the kids that
9 was going to school, including [REDACTED]. Just
10 swinging, walking up on them and swinging. Pow,
11 pow, pow.
12 I came outside off the front porch. I
13 screamed to my kids, calling [REDACTED] first, then
14 [REDACTED]. They weren't listening to me. They weren't
15 listening to me. They were feeding into the
16 altercation, still getting smacked in the face. I
17 had to scream and get loud. And that's when my kids
18 came to me while I was standing in my driveway.
19 I walked my kids back in the house. I
20 cooled the altercation down. I walked them back in
21 the house. She was still talking, screaming out
22 loud. After that, everything was calmed down. We
23 still heard her outside talking.
24 I had instructed [REDACTED] that I had to
25 leave and take my daughter to daycare, that the cab

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1 never mind the problem.
2 So -- but in that time, I believe that
3 the police was already on the scene. I just recall
4 my son letting me -- Hey, Dad, the police officer
5 wants to speak to you.
6 I got on the phone with the police. I
7 was like, Yeah, man, we've been having problems with
8 this young lady, this, that, and the other, telling
9 him what happened and stuff like that. He was
10 telling her to calm down. I'm, like, you know, this
11 time -- because, remember, I told you, I felt that
12 they treated me unfairly. I said, This time, I have
13 proof and I have a witness, which was the cab
14 driver, to state what she had just did.
15 I guess he listened to me. He asked me
16 where was I at. I told him I was en route to take
17 my daughter to preschool. He asked me could I turn
18 around and come back to meet with him, to speak with
19 him. I told him, like, I'm speaking to you. I let
20 him know that -- I told him that I could set up a
21 time to come back and speak with him.
22 He wanted me back on the scene right
23 then and there. I told him that I'm not going to be
24 able to come right back then and there to the scene.
25 After that, he told me, Do you know what? If you

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1 don't come back to the scene right away, you know,
2 he's, like, I know you're on probation. He was
3 like -- he's, like, I'm going to put it in the
4 computers. You're going to be wanted for
5 questioning.
6 I asked him why was he going to put me
7 in the computers and stuff like that. He said, Do
8 you know what? I'm going to cut to the chase. He
9 said, Do you have her phone, and did you assault
10 her? You know, I was, like, What? I'm, like, I did
11 no such thing. I'm, like, I didn't do anything like
12 that, man.
13 So he was, like, You're not going to
14 come back to the scene? I'm, like, I'm en route.
15 And he was, like, Okay. There's the wanted. That's
16 it. There goes the wanted in the system, so I'll
17 catch up with you later, is basically what he told
18 me.
19 That's -- that's all I can really
20 remember from that particular incident, but I was
21 trying to get the officers to -- I don't know why
22 that officer was ignoring what went on when he had a
23 witness there letting him know.
24 BY MR. HUGHES:
25 Q. When you were in the area, do you

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1 THE WITNESS: I don't think I said I
2 didn't know who did it.
3 BY MR. HUGHES:
4 Q. Sure, you did.
5 A. I said I don't know who --
6 MR. HOLLAND: I think previously was
7 when he was living at Maple, he said it happened
8 but --
9 THE WITNESS: No.
10 BY MR. HUGHES:
11 Q. No, you said --
12 A. I'm talking about --
13 Q. -- someone poured syrup in your car and
14 it caught on fire.
15 A. Oh, no, see, I'm talking about Glen
16 Garry. I'm sorry. I was talking about Janet -- at
17 this time, on Glen Garry, I had -- I had a vehicle.
18 Q. What vehicle did you have?
19 A. I had a 2003 Lexus ES300.
20 Q. Do you know -- are you aware that --
21 have you heard yourself -- did you hear -- strike
22 that.
23 Have you heard from any source that
24 Janet called police?
25 MR. HOLLAND: That day?

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1 remember Janet screaming?
2 A. Janet? She wasn't screaming. She was
3 just -- she was cussing.
4 Q. Was she cussing you?
5 A. She was cussing the kids. She was
6 really talking about the kids. Like, this woman
7 would, like, when my kids would play outside and
8 mind their business, I would see her send her kids
9 over and be, like, Go beat him up. Go smack him in
10 his face. You know, they said things, like, I don't
11 care about -- like, when she was served the
12 restraining order that day, when the police leave,
13 she immediately, I don't care about a restraining
14 order, this, that, and the other. And if I'm not
15 mistaken, I think she vandalized my property, my
16 car, after the restraining order.
17 Q. You said before you don't know who did
18 that, but you're saying maybe she did?
19 A. I caught her on camera. I had it on my
20 telephone at the time. I had a cell phone.
21 Q. Why did you say before you didn't know
22 who did it if you caught her on the camera on your
23 cell phone?
24 MR. HOLLAND: Is this the same
25 incident, or were there two incidents?

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1 BY MR. HUGHES:
2 Q. That day?
3 A. No.
4 Q. You didn't know Janet called police?
5 A. That particular day, no, I didn't.
6 Q. Who do you think called the police?
7 A. I thought the cab driver had called the
8 police, me personally. I thought the cab driver had
9 called the police. I'm not for sure if -- because,
10 see, I couldn't call the police. They wasn't -- I
11 felt like they was treating me unfairly because,
12 like I say, I had called the police when she had
13 busted all my windows, threw eggs at the house, and,
14 you know, certain officers was, like, laughing at
15 us, like, didn't want us in the neighborhood. They
16 were telling us to -- you have to catch it on
17 camera, so it became an incident where I did catch
18 her on camera.
19 Q. When did she bust your windows?
20 A. I'm not familiar with the date and
21 time, but it was -- it was around the same time
22 leading up to the fight incident. Matter of fact,
23 that was after. She busted my windows after the
24 restraining order, after the problem occurred,
25 and -- and I called officers over there several

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1 times. It's, like, the officers were, like, on her
2 side.
3 Q. Did you ever talk to any police
4 officers?
5 MR. HOLLAND: About that day or ever?
6 BY MR. HUGHES:
7 Q. About a time like when she busted --
8 supposedly busted your windows.
9 A. Yeah, I spoke with them.
10 Q. Who did you speak to?
11 A. I can't remember his name, but his name
12 is in the police report that we filed. We filed a
13 police report when she did those things. He let us
14 know that we had to do those things.
15 Q. Did you call 911?
16 A. Yeah, called 911.
17 Q. From what phone?
18 A. Oh, man, it could have been 319-6802.
19 Q. 319 what?
20 A. 6802, that particular incident.
21 Q. Are you aware that Janet Virgin told
22 police that you -- strike that.
23 Are you aware that Janet Virgin called
24 911 saying that you punched her and you broke her
25 glasses and you took her cell phone?

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1 MR. HOLLAND: Objection. Assumes facts
2 not in evidence.
3 BY MR. HUGHES:
4 Q. Are you aware of that from any source?
5 A. I mean, just -- I mean, I learned
6 that -- I had learned that speaking with my lawyers
7 and stuff, like, when I told the lawyers about the
8 wanted, that I had to see the police and things like
9 that about the incident that happened and stuff, so
10 I think my lawyers ran it across me, and they were,
11 like, Well, this is what she's saying. She's saying
12 that you did this and you did that. So I think
13 that's when I learned about -- so that maybe was
14 about a couple of days later, maybe, yeah, something
15 like that.
16 Q. Well, when you spoke -- strike that.
17 Did you say the -- your son [REDACTED]
18 handed his cell phone to the police officer?
19 A. Yes.
20 Q. Okay. And then you spoke to the police
21 officer?
22 A. Yes.
23 Q. And the police officer told you that
24 Janet Virgin is making accusations against you?
25 A. After we spoke when I was trying to

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1 have him -- because I felt like a victim.
2 Q. Here's my question: The police officer
3 told you that Janet Virgin is making accusations
4 against you; isn't that correct?
5 A. Yeah, somewhere down the line he told
6 me that.
7 Q. And he asked you to come to the scene
8 so you can talk to him about the accusations that
9 she is making against you?
10 A. He just -- he didn't necessarily say
11 come to the scene about the accusations that she was
12 making. He just told me to -- he was asking me,
13 could -- could I get back to the scene? Could we
14 talk? Could we talk? Could we talk?
15 I was persistent in telling him that,
16 Hey, hey, man, the cab driver just told you what
17 happened, you know. I'm, like, she -- didn't she
18 just tell you what -- didn't the cab driver just
19 tell you what they was just doing to my son?
20 Q. How do you know what the cab driver
21 told the police officer?
22 A. Because when my son called me, I had to
23 verify that the cab driver seen what happened to
24 [REDACTED] because [REDACTED] had his own cell phone at
25 that particular time, and that was a government

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1 telephone.
2 Q. Did you speak to the cab driver?
3 A. Yes, I spoke to him. I said -- I'm,
4 like, Everything my son just said, I'm, like, Did
5 this woman just come up -- because I thought she was
6 retarded to come out in front of someone and hitting
7 people in the face like that, knowing that she could
8 be jailed, because that's assault.
9 MR. HUGHES: Could you repeat the
10 question I asked him?
11 (Record read by the reporter.)
12 THE WITNESS: Yes.
13 BY MR. HUGHES:
14 Q. Did the cab driver have an accent of
15 some sort?
16 A. Yes, he sounded like he was African.
17 Q. Could you understand him?
18 A. Yes, sir.
19 Q. And he said something to the effect
20 that he would have to make a report at school. Did
21 you say that before?
22 A. Yeah. Yeah, he was just, like --
23 because I was, like, Hey, just get him to school.
24 Get him to school. And he said he has to -- he has
25 to -- he has to make contact with the police.

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1 Q. Do you know the name of the cab
2 company?
3 A. No.
4 Q. Is it the same cab company that comes
5 by every day?
6 A. No, at that particular time, it was the
7 same cab company.
8 Q. What company was that?
9 A. I don't know. I don't know.
10 Q. Cab driver came by and took [REDACTED] to
11 school every day; is that right?
12 A. Yeah.
13 Q. And did -- did he take your other
14 children to school too?
15 A. No.
16 Q. Just [REDACTED]?
17 A. They took [REDACTED] to school. That's
18 it.
19 Q. What school did he take him to?
20 A. He took [REDACTED] to, it was the
21 Riverview Gardens School District at that time.
22 Q. What school in the Riverview Gardens
23 School District?
24 A. I think this school was called East
25 Middle.

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1 yes. The woman -- the woman came up hitting your
2 son, yes, yes. I'm, like, Is the police there?
3 He was, like, Yes, I'm getting ready to
4 tell the police right now. And I was, like, Good,
5 good. Because the police didn't catch the first
6 incident on what happened, when it started early in
7 the morning when it first started.
8 Q. I'm sorry. What did you just say?
9 A. The police didn't catch the first
10 incident when I was in the home when she was
11 striking them with the belt, all of the kids when
12 they were outside.
13 Q. Well, did you call the police?
14 A. No. But he had no witnesses. The
15 police had no witnesses to what she had done.
16 Q. So, just so I understand, you say Janet
17 Virgin took out a belt and was hitting your kids in
18 the face, right?
19 A. Yeah, she was already doing it.
20 Q. And when you saw that, you did not call
21 the police; is that right?
22 A. No, I didn't.
23 Q. Okay. But you went outside?
24 A. Yes, sir.
25 Q. And you -- did you just politely talk

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1 Q. So every day from probably before Labor
2 Day and then all through September, October, and now
3 into November, the same cab company came by and took
4 [REDACTED] to school; is that correct?
5 A. Yes.
6 Q. And you were outside frequently when
7 the cab driver came by; is that correct?
8 A. Not really. I probably was laying
9 down, you know. I wasn't always up, you know,
10 watching.
11 Q. But you didn't know the -- which cab
12 company it was?
13 A. Huh-huh. I think I remember seeing it
14 be a yellow cab though.
15 Q. Did you notice the same cab driver
16 coming by every morning?
17 A. No, didn't ever pay attention.
18 Q. Do you know the cab driver's name?
19 A. No, sir.
20 Q. Did you ask him his name?
21 A. No, sir.
22 Q. Did you ask the cab driver what he saw?
23 A. Yes.
24 Q. What did he tell you?
25 A. He just told me, he said, Yes, yes,

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1 to Janet Virgin, or did you knock her down and take
2 her cell phone and break her glasses?
3 MR. HOLLAND: Objection.
4 BY MR. HUGHES:
5 Q. What did you do?
6 A. I just said to her -- I really didn't
7 say nothing to Janet. I told my kids to come in.
8 She was on her front. She was hanging over a
9 railing. She was hanging like -- like, her front
10 door, there's, like, a railing. She was hanging
11 over the railing, you know what I'm saying, like,
12 her steps was coming down this way (indicating).
13 She was coming off the steps like this (indicating).
14 I never even got close to her. And
15 you've got to remember, I'm on probation. So, you
16 know, I'm not -- I'm not dumb like that. That's
17 jail time.
18 Q. Now, you had -- you are concerned about
19 doing something while you're on probation; is that
20 right?
21 A. Yeah, I can't be involved in anything.
22 Q. What would happen if you are involved
23 in anything?
24 A. Who knows? You know, who knows? I
25 don't know. It's not -- it's not really left up to

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1 me, you know, what would happen to me if I'm
2 involved in situations like that, you know. But I
3 know that things can happen, and I don't -- I don't
4 want that.

5 Q. If -- if you're involved in assault,
6 who knows what could happen with your probation; is
7 that correct?

8 A. Yeah, that's a violation.

9 Q. Domestic violence would be a violation?

10 A. Yes, sir. You probably want to know
11 the whole reason --

12 MR. HOLLAND: Why don't you wait for
13 him to ask you a question.

14 THE WITNESS: I was just telling him
15 about the kids, the reason why he had to take the
16 cab to school.

17 BY MR. HUGHES:

18 Q. Why did he have to take the cab to
19 school?

20 A. Because we had ongoing problems with
21 Janet and her kids, and we got the school involved.
22 The school had put everything under advisory, and
23 they were looking into it. And [REDACTED] was having
24 problems with her kids on the school bus that they
25 caught right down the street, and that's how we

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1 pictures of that because I showed the school. I
2 showed St. Louis County police officers at the
3 school. We took a picture of the marks on his face
4 from that incident. Yeah.

5 I got the school involved with that
6 too. There was officers at the school already,
7 St. Louis County police officers. I had went to the
8 school that day.

9 Q. You're saying you went to the school
10 that day?

11 A. Yeah, I went to the school.

12 Q. Did you send this email photo to the
13 officer?

14 A. Yeah, my -- yeah, we showed [REDACTED]
15 that, yeah, in person.

16 Q. My question is: Did you send an email
17 photo to the officer?

18 A. No, we didn't send anything. We could
19 have sent it, but I don't believe we sent it. I
20 believe we went up there.

21 Q. You're saying the very day of the
22 incident?

23 A. Could have been later when he got out
24 of school, but we took every -- we took all these
25 problems to -- to the school. We got the school

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1 began taking the cab to school in the first place.
2 I just thought that I would just tell you about
3 that.

4 Q. As far as you know, your son did not
5 strike Janet Virgin; is that correct?

6 A. That's correct.

7 Q. And your son did not break her glasses;
8 is that correct?

9 A. No, he didn't break them.

10 Q. And your son did not take her cell
11 phone; is that correct?

12 A. No.

13 MR. HOLLAND: No, that's not correct?

14 THE WITNESS: No, he did not take the
15 cell phone, break her glasses. No, he didn't put
16 his hands on her.

17 BY MR. HUGHES:

18 Q. Your son did go to school that day; is
19 that correct?

20 A. Yes.

21 Q. He took -- he went there by cab?

22 A. Yeah.

23 Q. Your son was not injured, was he?

24 A. I took a picture on the phone. He had
25 a -- and I have this -- St. Louis County has the

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1 involved with what was going on.

2 Q. When was it?

3 A. Could have been the next day. It could
4 have been the same day. I know I had contact with
5 my son. I could have went to the school, took a
6 picture. I know that [REDACTED] had injuries to his
7 face though.

8 Q. Was he treated by a nurse at the
9 school?

10 A. Yeah, he was treated by a nurse.

11 Q. So, anyway, just so we understand,
12 you're saying that Janet Virgin for no reason
13 started striking your son [REDACTED] with a belt; is
14 that a fair statement?

15 A. Yes.

16 Q. And you're saying that a police officer
17 asked you to come and talk to him in person?

18 A. He asked me could I turn around, yeah,
19 he was saying, Would you be able to come back right
20 now?

21 Q. How far were you from the scene at that
22 point?

23 A. Probably Riverview Circle.

24 Q. That doesn't help me. Were you a block
25 away? Two blocks away?

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1 A. I think I was maybe a mile or so away.
2 A mile or two.

3 Q. How close were you to the school,
4 preschool?

5 A. Maybe about -- probably about --
6 probably about five and a half, six and a half
7 minutes or something like that.

8 Q. You did not tell the police officer,
9 I'll drop off my son and meet you there; is that
10 correct?

11 A. I didn't tell him that. I told him
12 that I can meet with him at a particular time. He
13 didn't want to meet with me at the particular time.
14 He was telling me right now.

15 Q. What time did you say you could meet
16 with the officer?

17 A. I told him sometime -- I made up some
18 time, but he let me know that's not how it works.
19 He was telling me, You need to come back and talk to
20 me. And I was just asking him, like, I just talked
21 with you. I spoke with you already. I told you
22 everything that happened. So -- and that
23 conversation, he just kind of like --

24 Q. My question is: You said, I told the
25 officer I could meet him at a time. What time did

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1 A. You just misquoted right then and
2 there. She had everything accurate. You just
3 misquoted the part when I spoke with him on the
4 telephone -- I complied with everything that he
5 asked me to do. You know, he wasn't really -- he
6 didn't order me, you know, he just let me know, you
7 know what, hey, if you can't get back right now, you
8 know, I'm -- I'm going to put this wanted in the
9 system. It wasn't -- it's not like how you're
10 saying it.

11 Q. Well, I didn't say it. I tried to
12 quote exactly.

13 A. You misquoted.

14 Q. You said, "I told him when I got
15 finished doing what I was doing, I would try to
16 touch base with him."

17 A. Yeah, I was complying with him. I
18 said -- can I -- he asked me, Can you come back
19 right now? Would you be able to? I said, No, I'm
20 not going to be able to come back right now. I'm on
21 my way to taking my daughter to where she needs to
22 be. I said, Hey, I can probably meet back up with
23 you at -- at a particular time. He had a number or
24 something like that.

25 This officer hung up on me. I had to

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1 you say you could meet him and where did you say you
2 could meet him?

3 A. I told him -- I don't remember where I
4 told him I could meet him, but I told him when I got
5 finished doing what I was doing that I could try to
6 touch bases with him, and he didn't want to do that.

7 MR. HUGHES: Okay. Just so I
8 understand, could you read back his answer.

9 (Record read by the reporter.)

10 BY MR. HUGHES:

11 Q. So I didn't want to be misquoting you,
12 so I asked the court reporter to read it back
13 exactly. So you're saying that this adult woman
14 struck your son in the face with a belt. The police
15 officer told you that this adult woman made
16 accusations against you; is that correct?

17 A. Yeah.

18 Q. And so the officer asked him if you
19 could come and talk it over with you in person, and
20 you said, and I quote, "I told him when I got
21 finished doing what I was doing, I would try to
22 touch base with him."

23 A. No, that's not how it happened.

24 Q. Well, did I misquote what you just said
25 and what the court reporter just said?

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1 call my son back. I was just trying to avoid being
2 in any kind of trouble. Do you see what I mean?
3 I'm trying to avoid this wanted thing that he had
4 going on. And he knew that. He knew I was trying
5 to avoid that. So I was trying to comply with him
6 as far as, like, setting up timing with him, but it
7 wasn't for questioning.

8 Q. Do you know who that officer was?

9 A. To my understanding, now, you know, it
10 was Mr. -- what's his name?

11 MR. HOLLAND: If you don't remember,
12 you don't remember at this time.

13 THE WITNESS: I don't really remember.

14 BY MR. HUGHES:

15 Q. You had never met this officer at any
16 time prior to this date; isn't that correct?

17 A. Probably not. I don't know if he's
18 been to the house.

19 Q. Can you even describe what he looks
20 like?

21 MR. HOLLAND: Can you let him finish
22 his answer, please?

23 THE WITNESS: I don't know if he's ever
24 been to the house, you know what I'm saying, in one
25 of the police calls in that area, like, to our house

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1 or to 112 or to [REDACTED]. I don't know.
2 MR. HOLLAND: Do you need some water?
3 THE WITNESS: No, I'm all right.
4 BY MR. HUGHES:
5 Q. There were police calls to your house?
6 A. Yes, sir.
7 Q. And was Latoya making police calls
8 against you?
9 A. Janet.
10 Q. Janet? So police came to your house?
11 A. Yes.
12 Q. When the police came to your house on
13 prior occasions, did they ever arrest you?
14 A. No, sir.
15 Q. Did they ever charge you with anything?
16 A. No, sir.
17 Q. Did they just try to talk to you?
18 A. I think they -- I think they did
19 something with the dogs. Something. She would call
20 the police on the dogs and stuff like that.
21 MR. HOLLAND: Your dogs?
22 THE WITNESS: Yeah, about barking loud
23 in the middle of the night. And the police would
24 say, You have to take this outside -- this dog
25 belongs outside. They ordered me that I have to

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1 A. No.
2 Q. But whoever -- whatever police officer
3 said that said that in response to a call Janet had
4 made mainly --
5 A. Numerous calls.
6 Q. -- with your wife?
7 MR. HOLLAND: Let him finish his
8 question.
9 BY MR. HUGHES:
10 Q. It was in response to numerous calls
11 Janet had made about your wife?
12 A. Yes. And my wife calling on her, too,
13 so there came a time when an officer came, he was,
14 like, you know, If I have to keep coming back out
15 here, the next time I come, I'm locking everybody
16 up.
17 Q. So the officer was trying to tell you
18 to get along? Would that be a fair statement?
19 A. Yeah, but we had another problem, and
20 that was the problem of the morning. See, that's
21 why I didn't call the police, because I don't
22 want -- I'm, like, You know if we call the police,
23 you know he's just going to lock everybody up.
24 My wife was just, We got a restraining
25 order on this person. Do you see what I mean? Do

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1 take my dog inside the house.
2 BY MR. HUGHES:
3 Q. Inside?
4 A. Yes, sir.
5 Q. You had a barking dog outside, and the
6 police told you -- they were responding to
7 complaints of a barking dog, and you should take
8 your dog inside the house?
9 A. Uh-huh.
10 Q. Is that a "yes"?
11 MR. HOLLAND: You have to say "yes."
12 THE WITNESS: Yes.
13 BY MR. HUGHES:
14 Q. So are those the only times the police
15 came to your house is when you had the loud barking
16 dog outside? And Janet, I presume Janet called
17 about that?
18 A. She called about some other things and
19 police came over, and it was mainly -- it was with
20 my wife.
21 And one time the police stated that,
22 you know, If we have to keep coming back out here,
23 you know, he's going to lock all parties up.
24 Q. Do you have any idea which officer said
25 that?

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1 you know what I'm saying? She was going -- she was
2 going -- she was going that route.
3 Q. Just see if I understand this. Janet
4 is hitting your son with a belt. And you're saying
5 that you were afraid if you called the police to
6 report that Janet was hitting your minor son -- your
7 son was what, 11 years old then?
8 A. Yeah, she hit more than just one of the
9 kids. She hit --
10 Q. If you -- you're saying if you report
11 to the police that Janet hit your kid and other
12 kids, that you thought the police would lock you up?
13 A. Yeah. Because that's what he said.
14 Q. Because some officer said, If you keep
15 calling, I'm going to lock everybody up?
16 A. Yep. Because it was like -- it was
17 getting to be too -- the police was just being
18 called just --
19 Q. Now, when the officer asked you to come
20 and talk to him and you --
21 A. Asked me could I.
22 Q. -- and you responded that when you got
23 finished doing what you were doing, you would try to
24 touch base with him, did the officer say to you that
25 he was going to lock you up, or did he -- was he

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1 just saying, Will you come and talk to me in person?
2 A. He then let me know -- he thought,
3 okay -- he was, like, Okay, she's accused you of
4 doing this and doing that. That's when I -- that's
5 when I was like, What? I'm, like, I did no such
6 thing.
7 Q. The officer didn't tell you you were
8 going to be arrested or given a summons; isn't that
9 correct?
10 A. Later on in the conversation he told me
11 that I was going to be wanted -- wanted for
12 questioning. He was going to put it in the
13 computers.
14 Q. The officer didn't tell you to come and
15 talk to him and when you did he was going to be --
16 you were going to be locked up; isn't that correct?
17 A. He didn't say, You're going to be
18 locked up.
19 Q. Okay. That's -- that's -- that's what
20 I was asking. He just wanted to talk to you?
21 That's what he told you, right?
22 A. That's right.
23 Q. And then you told him when you got
24 finished doing what you were doing, you would try to
25 touch base with him?

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1 A. Yes, sir.
2 Q. And you were on a cell phone talking to
3 a police officer who was on your son's cell phone;
4 is that correct?
5 A. That's correct.
6 Q. And the telephone number for your cell
7 phone again was what?
8 A. My cell phone number was 319-6802.
9 Q. And your son's cell phone number was?
10 A. I don't remember what his cell phone
11 number was.
12 Q. But it was a government cell phone?
13 A. Yes.
14 Q. You said that the police officer wanted
15 to question you, and he said that he would have to
16 issue a wanted if you did not allow him to question
17 you, is that correct, in person?
18 MR. HOLLAND: Objection. Misstates the
19 testimony.
20 BY MR. HUGHES:
21 Q. Warned you that if you didn't -- if you
22 didn't talk to him in person that a wanted would be
23 issued. Is that a fair statement?
24 A. He said if I couldn't come back right
25 now, after me explaining to him what happened and

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1 after me asking him a flight of questions on -- on,
2 You're not going to do anything about the witness to
3 the incident on what happened to my son, and me
4 asking him, What are you talking about, a phone, and
5 I did no such thing.
6 Q. Okay. Now, what's the name of the
7 preschool that you were taking your son to?
8 MR. HOLLAND: Daughter.
9 BY MR. HUGHES:
10 Q. Your daughter to?
11 A. I don't know right offhand what the
12 name of the school was.
13 Q. Where is it?
14 A. It's -- it's in the city.
15 Q. That doesn't help me much. It's a big
16 city.
17 MR. HOLLAND: Be as specific as you can
18 be.
19 BY MR. HUGHES:
20 Q. Not as big as New York.
21 A. It's on -- it's on Lillian.
22 Q. Is this just someone's house?
23 A. No.
24 Q. It's an actual preschool building?
25 A. Yes.

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1 Q. Does it -- and does it have a name?
2 A. I don't remember right now.
3 Q. Well, how is it that this -- your
4 daughter was enrolled? Did I get that right?
5 A. Yeah. Latoya -- Latoya helped me with
6 the stuff like getting my kids enrolled. She was
7 enrolled in there. I was there.
8 Q. Did it cost money to go to this
9 preschool or did maybe the government pay for it?
10 A. This particular school, I think it cost
11 money. It was something -- it was something every
12 week. It was pretty cheap, though, for us. I think
13 it was, like, \$40 a week. That was the cheapest we
14 could find. Everything else was, like, 100
15 something.
16 Q. But what -- and while your daughter was
17 at the preschool, you were -- were you out working,
18 or were you at home?
19 A. I don't recall what my day was like. I
20 knew I -- that's -- I touched bases with the school
21 and things like that. I don't really remember the
22 time period and stuff like that.
23 MR. HOLLAND: Are you asking about on
24 this day or on a typical day?
25

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1 BY MR. HUGHES:
2 Q. On a typical day, and specifically this
3 day, your daughter is at preschool. Did you go to
4 work someplace then or did you go home?
5 A. I don't recall, like, what -- what all
6 I was doing that particular day.
7 Q. Well, generally typically.
8 A. It would be work, Royal Auto Care.
9 Q. And your wife, was she working
10 somewhere outside the home?
11 A. No, at that particular time Latoya
12 was -- at that particular time Latoya was just --
13 she was at home.
14 Q. So was Latoya with you walking your
15 daughter to preschool?
16 MR. HOLLAND: Driving.
17 THE WITNESS: She was with me that
18 particular day.
19 MR. HUGHES: Huh?
20 MR. HOLLAND: Driving.
21 BY MR. HUGHES:
22 Q. Were you driving?
23 A. Yeah, we were driving. She was with me
24 that particular day.
25 Q. Oh, okay.

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1 A. But any other regular day, you know, it
2 was -- it was working and Latoya was -- at that
3 particular time she wasn't working. So she would be
4 at home.
5 Q. So you and Latoya were driving your
6 daughter to preschool?
7 A. That's correct, from Glen Garry.
8 Q. And the preschool from Glen Garry to
9 Lillian?
10 A. Uh-huh.
11 Q. "Yes"?
12 A. Yes, sir.
13 Q. And you left your son [REDACTED] alone, is
14 that correct, when you went to the preschool?
15 A. Yes, in the home.
16 Q. And your -- and so when the cab came,
17 your son would have to go out and possibly face
18 Janet again; is that correct?
19 A. That's correct.
20 Q. And you allowed that to happen; is that
21 correct?
22 A. I didn't think nothing like that would
23 happen.
24 Q. And we all make mistakes.
25 MR. HOLLAND: Objection.

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1 BY MR. HUGHES:
2 Q. And when the officer said he wanted you
3 to come back and talk to him, were you driving or
4 was Latoya driving?
5 A. Latoya was driving.
6 Q. And what kind of car, by the way, was
7 she driving?
8 A. She was driving the Lexus.
9 Q. That's not the vehicle that she
10 wrecked, is it?
11 A. Yeah, she sabotaged -- she sabotaged
12 the car seats from the sunroof.
13 MR. HOLLAND: I think he's asking if
14 it's the car that Latoya had crashed that you talked
15 about earlier.
16 THE WITNESS: No, not the same car she
17 crashed.
18 BY MR. HUGHES:
19 Q. Did you ask Latoya to turn around and
20 drive back to your house, as the police officer had
21 asked you to do?
22 A. No, he asked me if I could. No, we
23 didn't.
24 Q. Did you just on your own decide you're
25 not going to do it?

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1 A. No.
2 Q. Did you ask Latoya, Could you turn
3 around, and she refused?
4 A. Me and my wife agreed that we can speak
5 with him when we got finished doing what we were
6 doing.
7 Q. I mean, did you tell the police
8 officer -- you didn't tell the police officer, I'll
9 be there in a minute or two, did you?
10 A. No, I never told him nothing like that.
11 He was trying to avoid -- see, what I'm getting at,
12 he was trying -- he was talking to me like, Hey, you
13 know, what happened? I let him know what happened.
14 I kind of got moved by him because the cab driver
15 also told him what happened. He asked me could I --
16 could I -- he said was it possible that I could turn
17 around. I told him, no. You know, he was kind of
18 disturbed.
19 So, basically, his message was, at the
20 end of the conversation was just, like, do you know
21 what, man? I'm just going to put a wanted in the
22 system for you, man. He didn't want -- he didn't
23 want to -- he didn't want to set up a time with me
24 for real. I believe that he agreed to meet with
25 me --

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1 Q. Let's --
2 A. -- when I was giving him, like -- when
3 I told him -- when I was complying with him, I
4 believe that he was going to let that happen. But
5 he wanted me to --
6 Q. Let me ask you this: You said your
7 wife wasn't working. She was -- she was just going
8 to stay home that day; is that correct?
9 A. More than likely she would have been at
10 home.
11 Q. And you weren't -- you didn't know --
12 you don't know now if you were working that day or
13 not for sure; is that correct?
14 A. I mean, I worked at Royal Auto Care at
15 that particular time of the incident.
16 Q. Okay. Here's my question: After you
17 dropped off your daughter at preschool, did you and
18 your wife turn around and go home?
19 A. Did we turn around and go home? No,
20 but I went home sometime throughout that day.
21 Q. Where did you go if you didn't turn
22 around and go home?
23 A. I just know I got the school involved.
24 I called the school. I don't know if I touched
25 bases with the school that particular day. I know I

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1 did -- I know I did something. I called my lawyers.
2 I know I did that immediately. I'm, like, this guy,
3 you know, whatever, whatever.
4 MR. HUGHES: Could you read back my
5 question, please.
6 (Record read by the reporter.)
7 BY MR. HUGHES:
8 Q. Do you understand the question?
9 A. I don't know exactly where I went.
10 Q. Okay. At some point you did go home?
11 A. Yes, sir.
12 Q. And did your wife go home too?
13 A. Yes, sir.
14 Q. And while you were home, the police
15 came to your home several times that day to try to
16 talk to you; isn't that correct?
17 A. I don't remember the police coming. I
18 seen the police on my way home.
19 Q. No. Here's my question: Isn't it true
20 that the St. Louis County police officers returned
21 to your house -- home several times throughout the
22 course of that day to try to talk to you?
23 MR. HOLLAND: Objection. Asked and
24 answered.
25 THE WITNESS: No, huh-huh.

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1 BY MR. HUGHES:
2 Q. But you were home; is that correct?
3 A. But I would have known if they would
4 have came to the door.
5 Q. And did your wife tell you that the
6 St. Louis County police officers returned to your
7 home multiple times throughout the course of the day
8 to try to talk to you?
9 A. I could have -- I could have went to
10 work that day after I came back home. Like I say,
11 I'm not familiar with what I really did. I
12 probably, more than likely, went to Royal Auto Care
13 and the police could have came over there, but they
14 didn't come when I was there.
15 Q. Did your wife talk to the police that
16 day at your home?
17 A. I'm not for sure. I'm not for sure.
18 Q. She didn't tell you that they did?
19 A. Not -- not that I can recall.
20 Q. Were -- who were your attorneys?
21 A. Blake.
22 Q. Did your attorneys sit in your house
23 that day?
24 A. No.
25 MR. HOLLAND: Is this a good spot for a

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1 bathroom break?
2 MR. HUGHES: No, let's don't stop yet.
3 Let's mark that as Exhibit B.
4 (Exhibit B was marked for
5 identification.)
6 BY MR. HUGHES:
7 Q. You don't have to go to the bathroom
8 right now, do you?
9 A. I'm all right. No, sir.
10 Q. Do you see Exhibit B?
11 A. I see that.
12 Q. Do you see this letter from ArchCity
13 Defenders?
14 A. Yes, sir.
15 Q. And you see it's -- the date of it is
16 November 11th, 2015?
17 A. Uh-huh.
18 Q. Were you sitting at your lawyer's
19 office when this letter went out?
20 A. What's the question again, sir?
21 Q. Were you sitting in your lawyer's
22 office when this letter went out?
23 A. I don't -- I don't believe so.
24 Q. You don't believe so?
25 A. No.

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1 Q. Was your wife?
2 A. No.
3 Q. Okay. Do you see that, the second
4 paragraph, that begins with the words "we
5 understand," do you see that? It says, "Dear
6 Captain Means," and then a second paragraph says "we
7 understand"; do you see that?
8 A. Yes, sir.
9 Q. And do you see the last sentence of
10 that paragraph?
11 A. Yes.
12 Q. It says, and I quote, "St. Louis County
13 police officers have returned to Mr. Furlow's home
14 multiple times throughout the course of the day in
15 an apparent attempt to force this questioning." Do
16 you see that?
17 A. Yes, sir. I see that.
18 Q. So --
19 A. Like I told you --
20 Q. So did you tell your attorneys that the
21 police officers came to your house multiple times
22 throughout the day to try to talk to you?
23 A. That's what I'm telling you, that
24 she -- yes, I had to.
25 Q. Yeah. I mean, you're not accusing your

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1 BY MR. HUGHES:
2 Q. You don't dispute that a police officer
3 told you in the morning he wants to talk to you in
4 person -- wants to talk to you in person, and then
5 multiple times throughout the day the police
6 officers came back trying to talk to you in person?
7 A. He asked me could I come back.
8 Q. Yeah, but you don't dispute that and
9 you don't dispute that they came back multiple times
10 throughout the day trying to talk to you in person?
11 A. I never did dispute it. I told you
12 that.
13 Q. Okay.
14 A. I was -- I wasn't there, though, when
15 they came multiple times throughout the day. I was
16 informed by my wife. So, see, I had to drop her
17 off. I came back through the neighborhood. I seen
18 police. And I believe it was a Royal Auto Care day
19 for me that day and, you know, my wife, she calls
20 me, and I think that's -- and that's when she let me
21 know.
22 So when she let me know these things, I
23 let my lawyer know, like, Hey, these people were
24 beating on my door, you know, and my lawyer goes,
25 like, Hey, I'm going to call down here and see

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1 attorneys of just making something up, are you?
2 A. No. Yes, I had to, yes, I did.
3 Q. Okay. And so you have a police officer
4 on the phone saying, I want to talk to you in
5 person. And in response to that, we've already
6 established several times, you told them, When I get
7 finished doing what I'm doing, I will try to touch
8 base with you.
9 And then after that the police officers
10 returned to your house multiple times to try to talk
11 to you; is that correct?
12 A. Yes.
13 Q. And it was only after you would not
14 talk to the police that morning and only after they
15 tried to talk to you multiple times throughout the
16 day that a wanted was issued; isn't that correct?
17 MR. HOLLAND: Objection. Mr. Furlow is
18 not the one entering the wanted, so he has no idea.
19 BY MR. HUGHES:
20 Q. You know what a wanted is?
21 A. Yes.
22 MR. HOLLAND: But he's not the one
23 entering it, so he can't testify as to when it was
24 entered.
25

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1 what's going on, and see exactly what's going on.
2 Q. And you know, and it says in the letter
3 they want to question you, and you said, you know
4 they just want to question you; isn't that correct?
5 A. Yeah.
6 Q. And you know there have been
7 accusations made against you by Janet?
8 A. Yeah, same as -- the same as it was
9 accusations made against her by a kid.
10 Q. And then during the next month or so
11 after that, you went to work almost every day; would
12 that be a fair statement?
13 A. Yeah, I was going to work every day.
14 Q. And then, finally, I guess it was on a
15 weekend on December 12th, you turned yourself in to
16 the Justice Center in Clayton; is that correct?
17 MR. HOLLAND: Objection to form.
18 BY MR. HUGHES:
19 Q. You and -- and you were with your
20 attorney?
21 A. I don't think I just turned myself in.
22 I think we set it up with the police officers, if I
23 can remember.
24 Q. Well, let me ask you this: You showed
25 up at the Justice Center with your attorney; is that

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1 a fair statement?
2 A. Yes, sir.
3 Q. And after you showed up, at some point
4 a police officer showed up, or two; is that correct?
5 A. I think it was two.
6 Q. Okay. And when the police officer
7 showed up, or the two police officers showed up, did
8 you remain silent or did you -- did you speak up at
9 all to the police officer?
10 A. I just -- I remained silent.
11 Q. So your attorney did all the talking;
12 is that correct?
13 A. Yes.
14 Q. And your attorney indicated in your
15 presence that you're not going to make a statement;
16 is that correct?
17 A. I don't know if that was his exact
18 words.
19 Q. Well, what did he say?
20 A. He just said that -- you know, I think
21 he said, We don't have anything to talk about.
22 It's -- he was, like, Mr. Furlow doesn't want to
23 talk to you guys about what -- I think he said
24 something like -- he said that he had already talked
25 to you guys. I think, you know --

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1 Q. So, anyway, you don't remember exactly
2 what your attorney said to the police exactly?
3 A. Huh-huh.
4 Q. Is that a "no"?
5 A. No.
6 Q. But you knew that -- the gist of what
7 he was saying is you're going to exercise your right
8 not to incriminate yourself and to exercise your
9 right to impose the Fifth Amendment. Would that be
10 a fair statement?
11 A. It's kind of weird to say it like that,
12 but, I mean, I guess if that's what the law says.
13 But I really had nothing to talk to the guy about
14 for real. I had talked to him over the telephone
15 out there.
16 Q. Okay. So --
17 A. I needed him to come to me and my son's
18 rescue. I needed for him to do something about the
19 incident that the cab driver had just let him know
20 that had happened.
21 Q. Well, you did not deny in the presence
22 of the police officer any of the accusations made
23 against you by Janet Virgin. Would that be a fair
24 statement?
25 A. Can you say that again?

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1 Q. You knew accusations were made against
2 you by Janet Virgin. You did not, in the presence
3 of the police officer, deny those accusations; isn't
4 that correct?
5 MR. HOLLAND: On December 12th?
6 MR. HUGHES: On December 12th.
7 THE WITNESS: I said nothing to the
8 police at all.
9 BY MR. HUGHES:
10 Q. So you did not deny anything; isn't
11 that correct?
12 MR. HOLLAND: Asked and answered.
13 THE WITNESS: I said nothing to him.
14 BY MR. HUGHES:
15 Q. So that's correct then, right?
16 MR. HOLLAND: Asked and answered.
17 THE WITNESS: I don't know. I just
18 didn't say anything to these guys.
19 BY MR. HUGHES:
20 Q. Is it correct that you did not deny the
21 accusations that were made against you?
22 A. I denied it on the telephone with the
23 officer.
24 Q. When the police officer talked to you
25 in person, isn't it correct, you did not deny the

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1 accusations made against you?
2 A. I never talked to the police --
3 MR. HOLLAND: He's answered the
4 question multiple times.
5 THE WITNESS: -- in person.
6 BY MR. HUGHES:
7 Q. You saw the police officer at the
8 Justice Center face-to-face; is that correct?
9 A. Yes, sir.
10 Q. And at that time you did not speak up
11 and say anything -- any accusations made by Janet
12 Virgin are false; isn't that correct?
13 A. Like I told you, I remained silent.
14 Q. Is that correct or not?
15 MR. HOLLAND: He's answered your
16 question multiple times.
17 THE WITNESS: I didn't speak at all.
18 BY MR. HUGHES:
19 Q. So you did not deny any of the
20 accusations because you did not speak at all,
21 correct?
22 A. I just didn't speak at all.
23 Q. And you did not tell the officer --
24 A. No one spoke to me.
25 Q. And you did not tell the officer what

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1 really happened; is that correct?
2 MR. HOLLAND: Objection to form.
3 BY MR. HUGHES:
4 Q. At the police station?
5 A. Like I say, I never spoke with the
6 officers.
7 Q. Okay. So you did not tell the police
8 officer what you think really happened; isn't that
9 correct?
10 MR. HOLLAND: Objection to form.
11 THE WITNESS: I didn't say anything.
12 BY MR. HUGHES:
13 Q. Is that correct? That's a "yes" or a
14 "no."
15 A. What's that?
16 Q. If you don't understand the question,
17 let me know.
18 MR. HOLLAND: I think he's answered the
19 question multiple times.
20 MR. HUGHES: No, he doesn't answer --
21 he hasn't answered the question once.
22 THE WITNESS: Can you ask me the
23 question again?
24 MR. HUGHES: Can you read back the
25 question.

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1 (Record read by the reporter.)
2 THE WITNESS: I never spoke with the
3 police officer.
4 BY MR. HUGHES:
5 Q. So that is correct, then, yes?
6 A. I never had a chance to tell the police
7 anything.
8 Q. Did you not understand the question?
9 A. I didn't speak with the police officers
10 at all.
11 Q. All right.
12 A. I had no conversation with the police
13 officers.
14 MR. HOLLAND: Is it all right if I use
15 the bathroom?
16 MR. HUGHES: Oh, yeah, sure. I'm
17 sorry.
18 MR. HOLLAND: Let's take a five-minute
19 break.
20 (Recess taken.)
21 BY MR. HUGHES:
22 Q. Mr. Furrow, have you seen the police
23 report of this incident involving Janet Virgin?
24 A. Yes.
25 Q. Okay. So you're aware that one of the

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1 names in there is [REDACTED] who lived nearby on
2 the same street as you?
3 A. I don't know the guy.
4 Q. So you don't have any grudge against
5 him and he doesn't have any grudge against you.
6 Would that be a fair statement?
7 A. Yes, that would be a fair statement.
8 Q. Have you had any interactions with him
9 at all, to your knowledge?
10 A. Nope.
11 Q. Okay. You are aware that he identified
12 you specifically as, you know, taking, you know --
13 grabbing Janet Virgin's cell phone and taking it
14 from her. You're aware of that from reading the
15 police report?
16 A. Yes, sir.
17 Q. You're aware he was an -- he was listed
18 as an eyewitness who actually saw you grab or -- and
19 steal from Janet Virgin a cell phone from her hand;
20 is that correct?
21 A. Yes, sir, I'm aware of that.
22 Q. And do you have any idea why, if that's
23 not true, he would make up a story like that against
24 you?
25 A. It depends on the age of the person.

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1 It just depends. You know, my opinion, it depends
2 on the age of the person and who this person is. I
3 don't know if this person is -- I don't know if this
4 person is grown like me. I don't know if this
5 person is a kid or plays with her kids. I'm not
6 familiar with this person at all.
7 Q. So you don't have any -- you don't know
8 why he would make up this story?
9 A. Other than this was one of her son's
10 friends or something like that, but other than that,
11 I don't know why no one would make up something like
12 that on me and say they seen me do it, unless it was
13 just somebody who was down with her party.
14 Q. Maybe I can rephrase the question I was
15 trying to get you to answer before.
16 After you turned in -- after you
17 arrived at the Justice Center with your attorney and
18 after you chose not to speak to the police officer
19 to give your side of the story, would it be fair to
20 say that the officer respected your right not to
21 make a statement?
22 A. Like I said, I never -- I never even
23 spoke to the officers. I never --
24 Q. So he didn't badger you? You just
25 said -- your lawyer just said you're not going to

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1 make a statement and the officer said, Okay.
2 A. Said somewhere around those lines. I
3 never -- I spoke to the officer on the telephone.
4 The officer questioned me on the telephone.
5 MR. HOLLAND: He's asking --
6 BY MR. HUGHES:
7 Q. We're talking -- did you understand my
8 question?
9 A. Yes, sir.
10 Q. We're at the Justice Center.
11 A. Okay.
12 Q. Okay. You understand that?
13 A. Yes, sir, I never said nothing to him.
14 Q. Were you -- you know, the other lawyers
15 have asked my people. Let me ask you, are you on
16 some sort of drugs today?
17 A. I'm on caffeine.
18 Q. So your mind seems to be drifting. I
19 mean, if -- if I ask you a question, can you try to
20 answer it, please?
21 MR. HOLLAND: Mr. Hughes, I don't think
22 it seems like his mind is drifting.
23 THE WITNESS: Yes, sir.
24 MR. HOLLAND: Maybe you should just ask
25 better questions.

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1 was -- did you ever see that summons yourself?
2 A. I think -- I think I looked at it.
3 Q. And the summons was just for you to
4 appear in court on a night -- on a specific night;
5 is that correct?
6 A. Yes, sir.
7 Q. And, in fact, you never did appear in
8 court; your attorney did. Is that correct?
9 A. Yes, sir.
10 Q. Okay. And -- and you indicated earlier
11 in the deposition that this officer told you that he
12 would issue a wanted, and as your attorney said at
13 some point when making an objection, he doesn't know
14 if you even -- if a wanted was issued against you or
15 not. So that would be a fair statement, right?
16 MR. HOLLAND: I think I said I
17 didn't -- he wouldn't know the point in time when
18 it's entered.
19 BY MR. HUGHES:
20 Q. You don't know the point in time when a
21 wanted was issued, or even if it was issued; would
22 that be a fair statement?
23 A. Yes -- yes, that would be a fair
24 statement.
25 Q. And you would agree that you were never

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1 MR. HUGHES: All right. Well, maybe
2 it's my fault.
3 THE WITNESS: Everything is all right.
4 I'm trying to do my best.
5 BY MR. HUGHES:
6 Q. My question was, once you -- once your
7 attorney indicated in your presence that you would
8 not make a statement, the officer then respected
9 your right not to make a statement; is that correct?
10 A. Just --
11 Q. At the Justice Center.
12 A. You said, once I --
13 MR. HOLLAND: Why don't you read back
14 the question for him.
15 (Record read by the reporter.)
16 THE WITNESS: I mean, when you changed
17 it up in those words, that's correct.
18 BY MR. HUGHES:
19 Q. And, in other words, he didn't badger
20 you; he just said, Okay. Is that correct?
21 A. That's correct.
22 Q. And then he wrote up a summons, is that
23 correct, and gave it to you?
24 A. Gave it to the lawyer.
25 Q. Gave it to -- okay. And that summons

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1 picked up on a wanted for the charges where Janet
2 Virgin and an eyewitness made allegations against
3 you or accusations against you; is that correct?
4 A. Yes, sir.
5 Q. And you were never incarcerated for the
6 charges that Janet Virgin -- strike that.
7 You were never incarcerated for the
8 accusations made by Janet Virgin and the eyewitness
9 against you; isn't that correct?
10 A. That's correct, sir.
11 Q. When your attorney was asking questions
12 of a police officer who I represent, he suggested
13 that the officer didn't know if the cell phone that
14 was removed from Janet Virgin was Janet Virgin's
15 cell phone or your cell phone. Just assume that's
16 correct, that, you know, there was some sort of
17 question to that effect.
18 You're not suggesting, are you, that
19 Janet Virgin had your cell phone and that you went
20 up and removed your cell phone from her hands, are
21 you?
22 A. No, nothing like that.
23 Q. Okay.
24 A. I had no contact with her. It was all
25 kids outside.

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1 Q. I'm sorry. What?
2 A. It was all -- it was a whole bunch of
3 people outside watching it, like, kids getting ready
4 to go to school.
5 MR. HOLLAND: Just let him ask a
6 question.
7 BY MR. HUGHES:
8 Q. Was it kind of a chaotic situation
9 outside when you left to take your daughter to the
10 preschool?
11 A. When I first came out, it was, like,
12 chaotic. But once I called the kids in, you know,
13 everybody -- it was kind -- everything was simmering
14 down.
15 Q. So when the cab driver was there, it
16 was chaotic; is that correct?
17 A. No. When the cab driver was there, it
18 was calmed down, even though she did what she did.
19 It was mostly elementary kids that was out there
20 that was really watching it, walking to school.
21 MR. HOLLAND: By "she" you mean Janet?
22 THE WITNESS: Yeah, watching Janet
23 earlier that morning.
24 BY MR. HUGHES:
25 Q. Getting back to my question, when the

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1 A. Uh-huh.
2 Q. -- there was a second article in the
3 St. Louis Post Dispatch written about you; do you
4 recall that article?
5 A. Yes, sir.
6 Q. I guess it was talking about a family
7 puppy. What was that puppy's name?
8 A. Montana.
9 Q. And it also indicated that after the
10 first article came out that a lot of people in the
11 community stepped forward to help you and your
12 family. Would that be a fair statement? Did people
13 help you and your family after the first article?
14 A. In that community?
15 Q. In the St. Louis area.
16 A. Yes, probably in St. Louis, yeah. In
17 St. Louis, Missouri, yeah.
18 Q. Yes.
19 A. Some people in Illinois, not just
20 St. Louis.
21 Q. Do you know what -- what people did for
22 you after that first article?
23 A. I had people doing all kinds of things.
24 They donated lawn equipment. I had very few people
25 donate money and things like that, gift cards,

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1 officer respected your right to remain silent and he
2 gave you a summons, would it be correct that those
3 two officers that were there were there in your
4 presence for ten minutes or less?
5 A. Probably about ten minutes.
6 Q. Okay. Can you even describe either --
7 either officer?
8 A. White males. I don't know if one of
9 them got brown hair, blond hair. I think one of
10 them was blond, one of them was brown.
11 MR. HOLLAND: Don't guess. If you
12 recall, you recall.
13 THE WITNESS: At least I'm going to
14 describe one of them, I would say -- I can't really
15 recall. That's all I know about that.
16 BY MR. HUGHES:
17 Q. If I was going to ask you to describe
18 Officer Partin, P-a-r-t-i-n, would you be able to
19 pick out who Officer Partin is and whether or not
20 you even saw him and, if so, what he looked like?
21 A. Probably not.
22 Q. Okay.
23 A. No.
24 Q. Now, about the 15 days after the
25 incident with Janet Virgin --

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1 things like that, or I had -- yeah, that's pretty
2 much it.
3 Q. And according to the article, a man
4 named Robert Johnson, who works at the front desk of
5 his condominium, talked to the franchise owners to
6 see if they had a job for you and then something
7 opened up. And you were working under Johnson's
8 guidance now for about a month. This was -- this
9 article is dated November 26th, 2015. So --
10 A. That's true.
11 Q. So tell us about that job because you
12 haven't told us about it to this point.
13 A. Well, just like it says right there,
14 like, I just started working for him. He worked
15 over at Illinois at Roberts Motors. He had a
16 cleaning company. He had contracts that we would go
17 in and sweep and mop the showroom floor and take all
18 the trashes out of the building. I would sweep the
19 mechanic area back in the back, clean the break
20 rooms, clean the tables, wipe tables, wipe the
21 glasses, vacuum the carpets, just make sure
22 everything was clean for the next day when the
23 people came into work.
24 Q. Was that a 40-hour-a-week job?
25 A. I don't remember that, but I got paid

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1 every two weeks, like, \$516 or something like that,
2 but I only worked for two hours a day.

3 Q. And how much did you get paid?

4 A. I don't remember how much money I was
5 making. I just used to get paid every two weeks,
6 and I used to do two hours a day in the building,
7 because it was supposed -- I was supposed to do,
8 like, four hours in the building, like, he told
9 me -- Mr. Johnson was, like, normally this stuff
10 takes, like, four hours to get done. But once he
11 showed me how to clean, I was knocking the building
12 off in, like, two hours, like, an hour and a half,
13 like, doing all the things that I told you that he
14 had me to do, so --

15 Q. He paid you a salary; is that correct?

16 A. Yeah, kind of, sort of.

17 Q. But whether you got it done in eight
18 hours or two hours; is that correct?

19 A. Yeah, but it was never supposed to be
20 eight hours though.

21 Q. And how much was your salary?

22 A. I think 416 or 516 every two weeks or
23 something like that.

24 Q. That was after deductions?

25 A. I don't think he took taxes out, I

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1 reschedule some things and get to some places later,
2 and he would sleep late. He was an older man.

3 Q. Well, it sounds like a nice job. Did
4 you leave that voluntarily or were you fired, or
5 what happened to that job?

6 A. What happened to the cleaning service?
7 I think Mr. Johnson, we was waiting on him to get
8 other things or something, something going on like
9 that, or we lost a contract or something like that.
10 I'm not for sure.

11 Q. Did you work for Mr. Johnson for about
12 a year or less than a year or more than a year?

13 A. Close to a year.

14 Q. Did you just stop showing up for work
15 one day?

16 A. Huh-huh.

17 Q. Did you turn in your resignation?

18 MR. HOLLAND: He said "huh-huh." Just
19 say "no."

20 BY MR. HUGHES:

21 Q. You have to say "yes" or "no."

22 A. No, no.

23 Q. Did you turn in your resignation?

24 A. No.

25 Q. Did he terminate you? Did he fire you?

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1 don't believe, because he's an LSE.

2 Q. How long did you continue working for
3 Mr. Johnson or whoever it was at Roberts Motors?

4 A. I worked for them for a while. I don't
5 remember the exact date that I stopped working for
6 him.

7 Q. What hours did you work?

8 A. It varied. He used to tell me
9 sometimes, you know, We want to get in there early.
10 He say, You know, if you get in there early, you
11 won't have to be in there at, like, one or
12 2:00 o'clock in the morning. Sometimes I went at,
13 like -- the latest I could come was 7:00 o'clock in
14 the morning. So sometimes I went in. I used to
15 sleep. I used to go in at 10:00, get done at 12:00.
16 There was times I went in at 6:00 in the evening, as
17 he instructed.

18 But a lot of times, like, when I had
19 car trouble, he would come pick me up, and he would
20 take me to work so he wouldn't lose his contract
21 because I had to be there.

22 Q. What do you mean, so he would not lose
23 his contract?

24 A. Because he had other buildings that he
25 had to clean, and he let me know that -- he would

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1 A. No.

2 Q. Did he lay off a bunch of people?

3 A. I think that's what it was. I think it
4 was similar to a layoff. It had something to do
5 with him and the building. It had something to do
6 with the people there. I really don't know.

7 Q. All right. Well, you said about a
8 year, so would that mean you worked there until last
9 October of 2016?

10 A. I can't give you a date, though, but I
11 had that job while I -- while I ran my business too.
12 Like, Mr. Johnson used to help, tell people about my
13 business at the same time I worked for him and stuff
14 like that.

15 Q. Okay. So you've already talked about
16 your tire company and your landscaping company. So
17 from what I gather from what you just said, you
18 operated those companies while you worked for
19 Mr. Johnson? You could do -- you could do it all;
20 is that correct?

21 A. Yes, but at that particular time I
22 never was -- I cut grass on Glen Garry, but leading
23 over to the summertime when I was working with
24 Mr. Johnson, I never got to start that grass cutting
25 business due to the truck being sabotaged.

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1 Q. And the question I asked you before,
2 which I don't think you answered, was: Since you
3 said you had that job about a year, does that mean
4 you worked at -- for Mr. Johnson until about
5 October 2016?
6 A. It could have been ten months, though,
7 you know, about a year. It could have been ten
8 months.
9 Q. And since he paid you in cash, you
10 don't have any --
11 A. He paid me in check.
12 Q. Oh, he paid you in check?
13 A. Yeah, he paid me with check.
14 Q. Without any deductions?
15 A. Without any deductions.
16 Q. And when you received the check, did
17 you deposit it in a bank, or did you just cash it in
18 a check cashing store?
19 A. The first two weeks, I would deposit it
20 into a bank. And then the next month, the two pay
21 periods, I would keep it. I would keep the cash to
22 myself. So basically, like, I would deposit, like,
23 \$800 a month this month, but then the next month I
24 would keep \$800, and again in the next month I would
25 deposit eight, you know, 800, and then the next

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1 agreement that he would pay for a certain amount of
2 time, three months.
3 Q. Okay. He gave you three months
4 completely free -- completely free rent and he paid
5 the utilities; is that correct?
6 A. Yes, until I got established.
7 Q. Was there some sort of an agreement
8 between you and him that, you know, since that house
9 was in need of some repair, that you would -- since
10 you got to live rent-free that you would maybe make
11 some repairs on the house yourself?
12 A. Very, very little. Very little.
13 Q. Did you do any repairs on the house?
14 A. Yeah, I did some things to the house.
15 Q. What did you do?
16 A. I had Eric Dillon come out and put a
17 new -- what is that thing called? Downstairs in the
18 basement that has -- we had -- we had to put new
19 metal on it because of the carbon monoxide, had like
20 holes in it. What's that called? Man.
21 MR. HOLLAND: Asbestos?
22 THE WITNESS: Man, I just spoke about
23 it earlier. I spoke about it when I was telling you
24 guys about the work that I did for Eric. Some type
25 of heater.

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1 month I would keep 800, and then I would do it like
2 that.
3 Q. What bank?
4 A. That was the bank on -- the Baden
5 branch bank.
6 Q. Bank of America Baden branch?
7 A. Yes, sir.
8 Q. And that newspaper article also said
9 that Frank Victor, a limo driver, owned an extra
10 piece of property that had fallen in disrepair, and
11 he offered to let you live in it rent-free for \$300
12 a month -- strike that.
13 He would allow you to live in it
14 rent-free for three months and then thereafter
15 charge you only \$300 a month and he would pay
16 utilities. Is that -- does that sound correct?
17 A. Yeah, pay utilities until -- the same
18 amount a month until I started paying rent.
19 Q. Yeah, he would pay the utilities and
20 you would pay \$300 a month beginning the fourth
21 month; is that correct?
22 A. Yeah -- well, yeah, he would pay for
23 three months, the utilities, but after a certain
24 time I began to pay everything in the house, the
25 \$300 and the utilities, so he paid -- he had an

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1 BY MR. HUGHES:
2 Q. Hot water heater?
3 A. Yeah, it was a hot water heater, so we
4 did work on the hot water heater. I had Eric do
5 that. I fixed some plumbing in the kitchen that was
6 leaking and -- me and Eric did, and we fixed some in
7 the bathroom. I think that was -- I think that was
8 it.
9 Q. So this was -- this turned out to be
10 the house on Maple; is that right?
11 A. Yes, sir.
12 Q. So the reason you moved to Maple was
13 because you were given a house completely rent-free
14 for \$300 a month, and then after that -- excuse me.
15 You were given a house completely
16 rent-free for three months and then after that \$300
17 a month; is that correct?
18 A. Yes, sir.
19 Q. That was a blue house?
20 A. Blue house.
21 Q. Is that down at the end of the block?
22 A. Yes, sir.
23 Q. On the west end?
24 A. Yes, sir. Not really sure if -- that's
25 the west end, right? That's what they call it, the

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1 west end.
2 Q. Of the block?
3 A. I guess it would be the west end.
4 Q. Okay. Let's talk about January 25th,
5 2016, a little over a year ago. And you're living
6 at Maple Avenue; is that correct?
7 A. Yes, sir.
8 Q. And this is the -- this is the day when
9 your wife made some accusations about you; do you
10 remember that day?
11 A. Yes, sir.
12 Q. Okay. You were on probation on that
13 time; is that correct?
14 A. Yes, sir.
15 Q. And as you said before, you never know
16 what can happen; is that correct?
17 A. What do you mean, like --
18 Q. If you're accused of something.
19 A. Yeah, because people can just accuse
20 you of anything and just call and lie. You'll get
21 in trouble.
22 Q. Okay. Were you working anywhere that
23 day?
24 A. Yes, I worked with Mr. Johnson.
25 Q. So did you work early in the day?

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1 MR. HOLLAND: The night before what?
2 MR. HUGHES: The night before
3 January 25th.
4 MR. HOLLAND: Were you talking about
5 that day or the night before?
6 THE WITNESS: The night before. I'm
7 not -- I'm not for sure, like. It depends on what
8 was going on. I can't really remember.
9 BY MR. HUGHES:
10 Q. Well, what we know is you said you
11 worked --
12 A. Because I don't remember --
13 Q. -- you worked with Mr. Johnson that
14 day?
15 A. When I lost my car -- I don't remember
16 the exact dates when the car caught on fire.
17 Mr. Johnson had to pick me up, like, when the Lexus
18 went out on me and when the brakes went out,
19 Mr. Johnson would come pick me up, because that's
20 the house that I had, moving from Glen Garry and
21 moving into Maple. The brakes went out.
22 Q. Okay. We're on Maple. We're
23 January 25th, 2016.
24 A. Uh-huh.
25 Q. I asked you if you remembered that day.

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1 A. It varied. It really varied. Like,
2 sometimes, like I say, if I was driving my own
3 vehicle, then I would go to work at, like, 1:00 or
4 2:00 o'clock in the morning. Like, sometimes I
5 would go at 2:00 and get off at 4:00. Sometimes I
6 would go in at 12:00 in the evening and get off at
7 2:00. Sometimes I would go at 11:00 and get off at
8 1:00. But sometimes I would go at 6:00 in the
9 evening, but that was -- the only time I went at
10 6:00 was when my vehicle was down and he had to come
11 pick me up for work.
12 Q. All right. I accept the fact that you
13 were working with Mr. Johnson that day. What time
14 were you working?
15 A. I believe -- was I driving? I think I
16 had the truck running, so I believe I was going -- I
17 was going to work late. I was going to work late.
18 I was probably going in at 10:00, getting off at
19 12:00. That night it could have been like that.
20 Q. When you say going in at 10:00, you
21 mean 10:00 p.m. and getting off at midnight?
22 A. Yes, sir.
23 Q. So you think maybe the night before you
24 might have worked 10:00 o'clock at night and gotten
25 off at midnight?

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1 And you said, Yes. And you said you were working
2 with Mr. Johnson that day. And I asked you what
3 time, and you said your workday varied back then.
4 And I said, Well, what did you work
5 that particular day? And your answer was, I think I
6 had the truck running, so I would have been going in
7 at 10:00 o'clock at getting off at 12:00.
8 And I asked you, You mean 10:00 p.m.
9 and getting off at midnight? And you said, Yes.
10 Are we -- are we in agreement?
11 A. Not really.
12 Q. Okay. Tell me where I got it wrong.
13 A. I can't really give you a time that I
14 went to work that particular day or the day before.
15 MR. HOLLAND: Do you know or are you
16 guessing?
17 THE WITNESS: I can't give him a time
18 though. I know I went to work --
19 BY MR. HUGHES:
20 Q. But one thing you do know is you were
21 working for Mr. Johnson then? You said that. And
22 you also said, I think I had the truck running then.
23 A. But I'm for sure I can't -- my answer
24 is, I don't know what time I went in. I don't know
25 what time I went in to clean the building.

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1 Q. Okay. Well --
2 A. Because I don't want to guess. I want
3 to give you --
4 Q. Normally you'd go in, if your truck is
5 running, you'd go in at nighttime; is that a fair
6 statement?
7 A. Or morning.
8 Q. Or morning. And if you'd go in at
9 morning, how early do you go in? I think you said
10 something about 2:00 o'clock in the morning,
11 sometimes 6:00 o'clock in the morning?
12 A. 6:00 o'clock in the evening.
13 Q. Did you ever go in at 6:00 o'clock in
14 the morning?
15 A. Can't go in at 6:00 because my limit
16 was 7:00 o'clock. I had to clean the building
17 before 7:00 o'clock in the morning.
18 Q. Oh, okay. So if -- if you had not gone
19 in at 10:00 o'clock the night before, you would have
20 gone in very early in the morning, early enough so
21 that you would have finished cleaning no later than
22 7:00; is that a fair statement?
23 A. No, sir.
24 Q. Well, tell me what is a fair statement
25 then.

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1 A. A fair statement is that Mr. Furlow
2 can't really tell me the exact time that he went to
3 work the day before on the 24th, and he can't really
4 tell me the exact time on the 25th either.
5 Q. But it's either at nighttime the night
6 before or early in the morning so that you'd be
7 finished before 7:00, right?
8 MR. HOLLAND: Why don't you just
9 restate for him your typical -- what you typically
10 worked during that time period.
11 BY MR. HUGHES:
12 Q. Why don't you just finish answering my
13 question.
14 MR. HOLLAND: He's answered it a little
15 while ago.
16 THE WITNESS: It was, like I said,
17 like, 6:00 in the evening, Mr. Johnson would say,
18 Hey, Dwayne, you can get in that building at 6:00 in
19 the evening so you won't have to be dragging around
20 sleepy and out in the mid hours of the morning. He
21 would tell me that.
22 Very little did I go in at 6:00 o'clock
23 in the evening when the people would get off at
24 Roberts Motors. Very little, you know, very little.
25 So I was laid back on Maple and sitting in the house

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1 and not -- sometimes I went at 9:00. I tried to get
2 done and I would come home at 11:00. Sometimes I
3 left at 10 and I'd get back at 12:00. Sometimes I
4 would go back at 11:00 and come back at 1:00. It
5 just all varied. I never went at 5:00, though, and
6 got off at 7:00.
7 BY MR. HUGHES:
8 Q. It all varied. But it sounds like
9 beginning at -- could be beginning at 6:00 p.m. the
10 night before or various times after that --
11 A. The latest I ever went was 3:00 and got
12 off at 5:00 in the morning.
13 Q. Okay. So the very latest, you would
14 have gotten off work was 5:00 in the morning on
15 January 25th, 2016, correct?
16 A. Can't say that.
17 Q. Isn't that what you just said?
18 A. No, sir.
19 Q. The very latest?
20 A. Because I don't know what time I went
21 in.
22 Q. Well, I didn't -- I know that, but the
23 very latest you would have gotten off work would be
24 5:00 in the morning, but it could have been the
25 night before depending upon what time you went to

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1 work?
2 A. I used to go in at all different times.
3 It was different every day.
4 Q. I don't dispute that.
5 Okay. Well, what do you remember that
6 morning?
7 A. On what, the 25th?
8 Q. Yes.
9 A. I don't remember nothing.
10 Q. Okay.
11 A. Unless you can point out some things to
12 me to remember.
13 Q. You don't remember if Latoya was home
14 that morning?
15 A. Depends on what time it was.
16 Q. So you don't remember?
17 A. Huh-huh.
18 Q. You don't remember if any children were
19 home that day?
20 A. No. More than likely, they were at
21 school.
22 Q. Okay. Well, you did say the only
23 witnesses were Latoya and Officer Walsh; do you
24 remember that?
25 A. Yes, sir.

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1 Q. And there was a call to 911 --
2 A. Uh-huh.
3 Q. -- at 12:25 p.m. and 52 seconds?
4 A. Afternoon, right?
5 Q. Yes.
6 A. Okay.
7 Q. And then at -- it looked like that call
8 went to the Christian Hospital EMS and Spanish Lake
9 Fire Department. Is the Spanish Lake Fire
10 Department the fire department that handles that
11 area; do you know?
12 A. I think so.
13 Q. And then at 12:26, it's a neighbor of
14 yours called 911. Do you know that neighbor?
15 A. No.
16 Q. He said -- that neighbor called and
17 said your wife came running over to their house
18 saying you had just beat him up -- beat her up.
19 Would you know -- would there be any reason why a
20 neighbor would get -- would call police and make up
21 a story about you that you know of?
22 A. No, other than just my woman coming --
23 Q. Now --
24 A. -- over --
25 Q. Okay.

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1 A. -- saying that she needed help.
2 Q. And then at 12:27, it said you -- a
3 neighbor -- there was a call that a neighbor said
4 that Dwayne was driving off in a Cadillac with
5 tinted windows.
6 A. That's --
7 Q. So you had a Cadillac with tinted
8 windows then?
9 A. Yes, sir.
10 Q. Whose Cadillac was it?
11 A. Me and my wife's.
12 Q. When did you buy it?
13 A. I don't know the exact date I bought
14 it.
15 Q. Where did you buy it from?
16 A. Someplace off in Illinois, at the same
17 place I bought the truck from.
18 Q. Was it shortly before this incident or
19 a long time before this incident?
20 A. Probably shortly before this incident.
21 Q. Did you have license plates on the car?
22 A. No, sir.
23 Q. None whatsoever?
24 A. Temp tags.
25 Q. Huh?

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1 A. Temp tags.
2 Q. Temp tags?
3 A. Legit ones.
4 Q. Legit. Did you buy from a dealer?
5 A. Yes, sir.
6 Q. Were they Illinois temp plates?
7 A. Yes, sir.
8 Q. And then at 12:28, it indicated you
9 were driving off in a Cadillac. It indicated you
10 had your daughter in the vehicle. That's what the
11 911 call said, so which daughter was that?
12 MR. HOLLAND: Objection. Assumes
13 facts.
14 You can answer.
15 THE WITNESS: I don't recall having her
16 with me, but could have -- it could have been my
17 youngest daughter, [REDACTED].
18 MR. HOLLAND: Are you guessing or are
19 you sure?
20 BY MR. HUGHES:
21 Q. I don't know if we even talked about
22 [REDACTED]. Tell me, how old is she?
23 A. [REDACTED], she's four.
24 Q. You're not [REDACTED]'s father; is that
25 correct? Or are you?

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1 MR. HOLLAND: Biological?
2 BY MR. HUGHES:
3 Q. Biological father.
4 A. Yes, I am. Me and LaDonna had five
5 kids.
6 Q. Oh, okay. Okay. So this -- so [REDACTED]
7 is not Latoya's biological daughter; is that
8 correct?
9 A. Yes.
10 Q. All right. And at 12:28, Latoya was on
11 the phone, and the 911 operator wrote that she was
12 distraught and crying. Of course, you were gone,
13 but before you drove off in the Cadillac, isn't it
14 true that Latoya was crying?
15 A. No. No. She was screaming. She was
16 yelling.
17 Q. She was screaming and yelling?
18 A. Yeah. Started off in the house. You
19 know, I tried to just get away from her. Like, when
20 I came outside, I think I was, like, smoking a
21 cigarette or something. She just kept it going in
22 front of the neighbors.
23 I was, like, no. I was, like, no, I
24 just moved over here not too long ago. I'm, like, I
25 can't have all this, so I left. I hopped in the

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1 car. She was still saying some things, No, you're
2 not going to leave like that. She was trying to
3 talk and all that stuff like that, and I wasn't
4 trying to talk about any of the accusations that she
5 had heard about me.

6 Q. Okay. When you were talking, you're
7 just testifying, you used your hand kind of like in
8 a pattern where it looked like mouths opening up,
9 opening and shutting.

10 A. Just a second ago?

11 Q. Yes, you --

12 A. Like this (indicating)?

13 Q. No, you were going like this
14 (indicating). Were you --

15 MR. HOLLAND: I thought he was
16 scratching his head.

17 BY MR. HUGHES:

18 Q. And you were saying she was screaming
19 and yelling, and she was saying -- I didn't hear
20 that -- you said accusations. Why don't you read
21 what his answer was.

22 (Record read by the reporter.)

23 BY MR. HUGHES:

24 Q. Did she say -- did -- were there some
25 accusations she had heard about you that she told

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1 going on and hear it. I mean, they probably heard
2 before they seen us.

3 Q. You didn't see any neighbors outside,
4 did you?

5 A. I seen people outside. I can't --

6 Q. All right.

7 A. I can't recall who I seen outside. I
8 seen people outside.

9 Q. So, you know, she says you assaulted
10 her. It's in the police report. You've seen the
11 police report, right?

12 A. Yes.

13 Q. And it said you smacked her in the
14 cheek with your right hand. You knocked her on the
15 ground. You -- isn't it true you smacked her in the
16 cheek and knocked her on the ground?

17 A. No, sir. Like I told you earlier,
18 those -- when I told you that she -- she made
19 threats to me and --

20 Q. She said you stomped her on her leg
21 several times. Isn't it true you did?

22 A. No, sir.

23 Q. She said you grabbed her hair and
24 dragged her towards the door. Isn't that true that
25 you did?

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1 you about?

2 A. Yeah, she was in the house talking
3 about -- well, she knew things like that, about
4 cheating.

5 Q. Saying you were cheating on her?

6 A. Yeah. And she had talked to some
7 people and some things like that.

8 Q. So she -- this was in front of the
9 neighbors she was saying things?

10 A. Well, she first informed me about all
11 the stuff inside of the house, and then, like, when
12 I -- when I was just trying to get away from her,
13 like, I stepped on the front porch. Like, when you
14 step out on Maple, you can't see -- you can't see
15 really -- you can't really see the neighbors from
16 there for real when you first step out. But I just
17 stepped out to come outside just to get a little
18 air.

19 But when she stepped out, she was still
20 going on and on at the mouth (indicating). I tried
21 to walk out towards the car that was parked out in
22 front of the house, and as I started walking towards
23 the car, she was still going (indicating). And
24 then, to that point right there, that's when the
25 neighbors would be, you know, able to see what's

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1 A. No, sir.

2 Q. And then it says you got in your car
3 and drove away. But you did do that, right?

4 A. Drove away?

5 Q. Yes.

6 A. Yes, sir.

7 Q. Why did you drive away?

8 A. Because she was yelling and, like, she
9 didn't -- I'm a calm person, like, when I like to
10 talk, I like to communicate, like, without any --
11 without, like, being combative and things like that.
12 She wasn't trying to do any of that.

13 Q. And, you know, first one and then
14 another police officer and then maybe some other
15 police officers came to the scene. Did you learn
16 that?

17 A. I just know the police came out.

18 Q. Okay.

19 A. I don't know --

20 Q. Okay. And the police talked to your
21 wife; is that correct?

22 A. Yes.

23 Q. Your wife did move out that night or
24 tried -- or -- isn't that correct?

25 A. No.

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1 Q. Did she have relatives in the city --
2 A. Yes.
3 Q. -- on Raymond?
4 A. Yes.
5 Q. Did you read the report where the
6 officer offered to conduct an interior sweep of your
7 house just to see if you had returned through the
8 back door or somehow returned to the house?
9 A. I probably read that. I probably read
10 it.
11 Q. And when he did that, there was an AR15
12 that was there in view? You don't deny there was an
13 AR15 rifle in your house, do you?
14 MR. HOLLAND: Mike, I'm going to
15 interject and just -- due to pending charges
16 relating to Mr. Furlow, I'm going to instruct him
17 not to answer questions related to that.
18 MR. HUGHES: He filed a civil lawsuit.
19 He's going to have to answer questions.
20 MR. HOLLAND: We did not file a civil
21 lawsuit relating to the gun.
22 MR. HUGHES: Well, about this event,
23 this night.
24 MR. HOLLAND: If you want to show him
25 the report and ask him whether the police officer

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1 MR. HOLLAND: Same objection. I'm
2 going to instruct him --
3 MR. HUGHES: That doesn't -- how would
4 that incriminate him?
5 BY MR. HUGHES:
6 Q. Isn't it true that your wife purchased
7 an AR15 rifle in her name?
8 MR. HOLLAND: If you know that, you
9 know that. If you don't, you don't.
10 THE WITNESS: I have to -- I have to
11 plead the Fifth.
12 BY MR. HUGHES:
13 Q. You're not going -- you're saying
14 you're not going to answer the question? I -- my
15 question was: Did she purchase it in her name?
16 A. That's -- if that's what she told -- I
17 don't know what she told the police.
18 Q. I'm not asking you what she told the
19 police. I'm asking you: Isn't it true that AR15
20 rifle was in your wife's name?
21 MR. HOLLAND: And I'm saying that I'm
22 instructing him not to answer questions related to
23 the gun or other questions you may have related to
24 the gun.
25 THE WITNESS: I don't know -- I don't

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1 said it was there, he can answer that question. But
2 whether -- as to anything beyond that, I would
3 instruct him not to answer.
4 BY MR. HUGHES:
5 Q. Are you going to follow your lawyer's
6 advice?
7 A. Yes.
8 Q. Isn't it -- okay, here's my question:
9 There was an AR15 with 30 rounds of ammunition that
10 was inside your house. Isn't it true that there was
11 an AR15 rifle with 30 rounds of ammunition inside
12 your house?
13 MR. HOLLAND: Same objection, and I
14 would instruct you not to answer. If you want to
15 ask him if that's what the police report says, you
16 can do that.
17 THE WITNESS: On advice of -- that the
18 attorney gave to me, I'm going to voice my --
19 BY MR. HUGHES:
20 Q. And --
21 A. -- Fifth Amendment.
22 Q. And your wife told the officer that she
23 purchased that AR15 rifle in her name. Is it
24 correct that your wife, Latoya, purchased that AR15
25 rifle in her name?

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1 know whose name any weapon was in.
2 BY MR. HUGHES:
3 Q. Okay. Well, then my next question is:
4 It was purchased in your name; is that correct?
5 A. I never had any type of firearm
6 purchased in my name.
7 Q. Okay. So the AR15 rifle was not
8 purchased in your name? That's what you're saying,
9 right?
10 MR. HOLLAND: Same objection; same
11 instruction.
12 THE WITNESS: Yes.
13 MR. HOLLAND: Misstates --
14 THE WITNESS: No gun has ever been
15 purchased in my name.
16 BY MR. HUGHES:
17 Q. You don't dispute that that AR15 rifle
18 was inside the house when you left the house in that
19 Cadillac -- and drove off in that Cadillac; isn't
20 that correct?
21 A. No, sir. I don't -- I don't know what
22 was inside of the home. I don't know what Latoya
23 and the police talked about as far as being inside
24 of the house. I don't -- see, only thing I know
25 about is the altercation I had with Latoya and --

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1 Q. Tell us about the altercation you had
2 with her.
3 A. It was just -- it was just an argument
4 that started inside of the home.
5 Q. When I hear the word "altercation,"
6 what comes to mind is touching of some sort,
7 shoving, slapping, hitting.
8 A. No, nothing really like that. Just,
9 like, when I just moved towards the door, she
10 probably just tried to block me along with the
11 screaming and hollering and the asking of questions
12 and telling me what she's heard and things like that
13 and things like that, man.
14 Q. What did she tell you she heard?
15 A. That I was cheating on her and somebody
16 that stayed on the street of Glen Garry knows for a
17 fact. They just seen the Cadillac parked over
18 there, and how did these people on Glen Garry know
19 that you had a Cadillac because you didn't have a
20 Cadillac at this particular time and stuff like
21 that.
22 Q. Were you cheating on her?
23 A. No, sir.
24 Q. So you didn't try to take her over to
25 Glen Garry to confront the people making the

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1 It could have been, but I mostly use cell phones,
2 unless I was at someone's house when I called her,
3 but I did call her, like --
4 Q. Well, were you at your attorney's
5 office calling her?
6 A. No.
7 Q. Okay. So you -- but you could have
8 been at someone's house?
9 A. I believe I was on a cell phone though.
10 Q. If you were at someone's house calling
11 from their landline number, whose house would it
12 have been?
13 MR. HOLLAND: Don't guess.
14 THE WITNESS: My grandmother on [REDACTED].
15 BY MR. HUGHES:
16 Q. And why did you call her?
17 A. To talk to her. It had to have been a
18 cell phone because I called her, kind of like -- I
19 think I was driving though.
20 Q. You called her relatively quickly after
21 you drove off in the Cadillac; would that be a fair
22 statement?
23 A. Yeah.
24 Q. How much later?
25 A. Maybe five to seven minutes.

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1 accusations. Is that a fair statement?
2 A. Could you say that again?
3 Q. Did you ever take her to Glen Garry to
4 confront the people making the accusations that you
5 were cheating on her?
6 A. No. She said that she -- some people
7 from over there seen my car.
8 MR. HOLLAND: I think what he's asking
9 is if you then took her over there to show them
10 that, no, this wasn't true.
11 THE WITNESS: No, I never did that, no,
12 sir.
13 BY MR. HUGHES:
14 Q. At some point you called your wife; is
15 that correct?
16 A. Yes, sir.
17 Q. And you called her from what cell
18 phone?
19 A. I don't remember that telephone number,
20 but I did call her. I don't remember the exact
21 telephone number that I had. It could have been
22 319-6802.
23 Q. Or could it have been some other
24 cell -- cell phone or landline number?
25 A. I don't really remember where I was at.

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1 Q. And you knew the police were there; is
2 that right?
3 A. No. I didn't know they were there.
4 Q. You knew your wife had run to a
5 neighbor's house; is that correct?
6 A. No.
7 Q. You didn't know your wife ran to a
8 neighbor?
9 A. No, when I left she was sitting right
10 there at the passenger -- at the driver's side, on
11 the passenger side of the window. When I left she
12 was still -- we were talking to each other --
13 Q. Well --
14 A. -- about other things and stuff like
15 that.
16 Q. That doesn't really make sense since
17 she ran to the neighbor's house, the neighbor called
18 at 12:26 --
19 A. Uh-huh.
20 Q. -- and then at 12:27 the neighbor is
21 telling the dispatcher that you're driving off in a
22 Cadillac in tinted windows. So -- so the
23 neighbor -- yeah, after your wife went running to
24 the neighbor's house, you're still there, and then
25 the neighbor sees you drive off in the Cadillac.

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1 MR. HOLLAND: Objection. Assumes
2 facts. Do you have a recording of the call showing
3 that he sees it, or could it just be what the wife
4 said she saw happened?
5 MR. HUGHES: No, these are the
6 dispatcher notes I'm reading from, who just makes
7 entries as things are happening.
8 THE WITNESS: I never witnessed her run
9 across. I never witnessed her run across the
10 street. I just -- I just know -- I just know we
11 were hollering and saying some things. I probably
12 called her a name when she was outside. She called
13 me on my name. She was crying. I told her I wasn't
14 never coming back. I threatened to divorce her, and
15 I said all kind of things.
16 BY MR. HUGHES:
17 Q. You just said you called -- you
18 probably called her a name?
19 A. Yeah.
20 Q. And you said all sorts of things. When
21 you said -- you just said, "I said all sorts of
22 things," that would include threats to her?
23 A. Just -- not threaten physically, just
24 threaten to leave, like, I'm never coming back,
25 like, watch what I say, I'm never coming back.

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1 Q. Why would you threaten to leave your
2 wife?
3 A. I have no idea. I would never leave my
4 wife unless she cheated on me or something like
5 that, so I don't know why --
6 Q. But she was accusing you --
7 A. Right.
8 Q. -- of cheating on her.
9 A. Right.
10 Q. So why would you leave your wife?
11 A. I don't know. I don't know why I would
12 even say something like that, but that's what I
13 said, though, things like that.
14 Q. Isn't it true that the reason you
15 called your wife is because you knew she was
16 calling -- you know, running to a neighbor and you
17 were worried that your probation could be revoked?
18 MR. HOLLAND: Objection to form.
19 THE WITNESS: No, it was not. That's
20 not why I called. That's not why I called her.
21 BY MR. HUGHES:
22 Q. Now, you do remember talking to a
23 police officer, is that right, on the phone?
24 MR. HOLLAND: Which day?
25

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1 BY MR. HUGHES:
2 Q. When you called your wife, a police
3 officer picked up the phone; isn't that right?
4 A. I read -- I don't remember talking to
5 him. I don't remember speaking with him, the police
6 officer, on the telephone.
7 Q. Really? So let me ask you this: You
8 just said about five or seven minutes after you
9 drove off in the Cadillac you called your wife; is
10 that correct?
11 A. Yes, sir.
12 Q. Who did you talk to?
13 A. Well, she was just kind of like -- she
14 was -- I was saying, Hello, hello, hello, but I
15 couldn't get her no answer. But I knew the phone
16 was off the hook. I knew she had picked up. But
17 I -- she didn't say anything to me, like, she didn't
18 say anything. Like, I heard the background and
19 things like that. But she wouldn't reply to me
20 saying, Hello, or anything like that.
21 Q. So you're just saying that you spoke
22 into thin air and your wife did not answer and a
23 police officer did not answer?
24 A. I called, like -- I called, like, three
25 or four times before I could really get -- before I

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1 could really speak with Latoya.
2 Q. Well, the first two or three times that
3 you called, when you did not speak with her, who did
4 you speak to?
5 A. I don't remember speaking to any
6 officers. I don't remember. I don't remember
7 nothing. You can probably try refreshing my memory
8 to that phone call.
9 Q. Were you on any -- were you smoking
10 marijuana or taking any drugs that day?
11 A. That particular day, I mean, I could
12 have been smoking marijuana a bit. But that didn't
13 have nothing to do with --
14 MR. HOLLAND: Don't guess. If you
15 know, you know. If you don't know, you don't know.
16 BY MR. HUGHES:
17 Q. You could have been smoking marijuana
18 that day in the morning?
19 A. I don't know when. Maybe I didn't even
20 smoke any that day. I just said I could have been.
21 You asked a question, was I high off anything. I
22 just -- I really just -- I try to -- I guessed. I
23 don't know.
24 Q. You did talk to your attorneys that day
25 after -- after driving off with your wife, you did

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1 talk to your attorneys; isn't that correct?
2 A. I possibly gave them a call and they
3 probably called me back sometime during that day. I
4 don't know if I got them right then and there.
5 Q. Do you remember a police officer
6 telling you that he wants you to come in and talk to
7 you face-to-face?
8 A. Possibly.
9 Q. And when he did that, you told him that
10 you had already talked to your attorneys and you
11 were told that if you came and talked to the police
12 officer, you would be locked up?
13 A. No, I ain't tell him nothing like that.
14 I told him --
15 Q. Isn't that what your attorneys told
16 you?
17 A. No, I told -- I told the officers to --
18 if I spoke with any officers, I just --
19 MR. HOLLAND: Don't speak in
20 hypotheticals. Only on conversations you recall
21 having.
22 THE WITNESS: I just -- I maybe just
23 set it up for me to come see him. That's about it.
24 Just to speak with him.
25

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1 BY MR. HUGHES:
2 Q. You just maybe set it up to --
3 A. Just to speak with him. If I spoke
4 with any officer about me seeing him, you know,
5 that's the only thing that I can do is to see him.
6 You can't really --
7 MR. HOLLAND: He's asking you about a
8 specific conversation with an officer on that day.
9 If you recall it, tell him about it.
10 THE WITNESS: I don't really recall it,
11 but -- I don't recall that conversation, but if an
12 officer wanted to meet with me, the only thing I can
13 do is call the lawyers and have something set up so
14 I can come in and speak with this particular
15 officer. That's the only thing I know. I would
16 never try to avoid any -- any police. How could
17 I -- I can't --
18 MR. HOLLAND: Just let him ask you a
19 question. He's not suggesting that.
20 BY MR. HUGHES:
21 Q. Well, I am suggesting that. But on
22 January -- January 25th, 2016, are you saying that
23 you don't remember if you spoke to a police officer
24 on the telephone or not, but if you did, you don't
25 know what you said or what he said?

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1 A. That's correct.
2 Q. I'm guessing in paragraph 59 -- here.
3 Why don't we mark this as Exhibit C which is the
4 first amended complaint.
5 (Exhibit C was marked for
6 identification.)
7 MR. HOLLAND: Do you have an extra copy
8 or should I --
9 MR. HUGHES: Oh, yeah. I'm sorry.
10 MR. HOLLAND: Thank you. What
11 paragraph?
12 MR. HUGHES: Paragraph 59.
13 MR. HOLLAND: So this is the complaint
14 in this litigation.
15 BY MR. HUGHES:
16 Q. You saw -- there was a complaint that
17 was filed and then a first amended complaint and
18 that contained allegations about you. You had an
19 opportunity to look that over before that was filed
20 in court; isn't that correct?
21 A. What do you mean?
22 Q. I mean, did you know what your
23 attorneys were filing and saying -- and saying about
24 you?
25 A. I mean, help me understand that

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1 question better. Like --
2 Q. When a case goes to court, you have to
3 file a petition or a complaint. Before the petition
4 or complaint was filed in this case, did you talk
5 things over with your attorneys?
6 A. I'm not sure what happened. I'm
7 pretty -- I'm pretty sure I spoke with the lawyers
8 about things. I only really recall the lawyer on
9 things -- I'm pretty sure I talked -- one of the
10 first things, you know, I called lawyers.
11 Q. And did they -- before papers were
12 filed in this case, did the lawyers show you what
13 they were going to file?
14 A. Probably later on down the road, but
15 when I called them and let them know what was going
16 on, he just listened to me.
17 Q. Okay. Well, let's look at page 12.
18 A. He told me that he had to look over
19 some things. Like, when I told him what was going
20 on, like, he listened to what I said, he told me he
21 has to look over things. Yeah, we talked about it.
22 Q. Okay. Let's go to page 12,
23 paragraph 58. Right above paragraph 58, it says,
24 "January 2016." Then paragraph 58, it reads, "On
25 the afternoon of January 25th, 2016, Defendant

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1 Walsh" -- that's a police officer -- "spoke with
2 Mr. Furlow by telephone regarding an allegation
3 against Mr. Furlow." Did I read that correctly?
4 A. Yes, sir.
5 Q. Did you tell your attorneys that you
6 spoke with Mr. -- that you spoke with a police
7 officer on January 25th, 2016?
8 A. Did I speak with the attorneys?
9 Q. Yeah, and tell them that.
10 A. I don't know the times.
11 Q. Do you think your attorneys made this
12 up, or did they talk to you before they filed this?
13 A. They talked to me before they did it.
14 Q. So do you think that allegation in
15 paragraph 58 is true or not true?
16 A. Like I say, I could have spoke with an
17 officer, but I just can't recall what we spoke
18 about.
19 Q. Okay. So now you're saying it's
20 possible that you spoke to a police officer?
21 A. I think I did say that.
22 Q. On the afternoon of January 25th, 2016?
23 A. Yeah, I always said that.
24 Q. But you don't know what was said; is
25 that right?

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1 A. Yes, sir.
2 Q. Okay. Let's look at paragraph 59:
3 "Defendant Walsh requested that Mr. Furlow return
4 home to be questioned by Defendant Walsh regarding
5 said allegations." Did I read that correctly?
6 A. Yes, sir.
7 Q. So is that what happened?
8 A. Like I say, I'm not for sure. And if
9 he did ask me to, you know, the only thing I could
10 do was set up -- set up to come and speak with him,
11 just like I did.
12 Q. Okay. Paragraph 60 it's alleged,
13 "Mr. Furlow," that's you, "told Defendant Walsh,"
14 that's a police officer, "that he had no interest in
15 speaking with the police or answering any
16 questions." Does that refresh -- did I read that
17 correctly?
18 A. You read that correctly.
19 Q. Does that refresh your memory that you
20 told the police officer -- and this would have been,
21 I guess, five to seven minutes after you drove off.
22 Does this refresh your memory that you told the
23 police officer you had no interest in speaking with
24 the police or answering any questions?
25 A. I don't recall that. I don't recall.

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1 I don't recall telling him that. The only thing I
2 can really recall is if -- getting things set up to
3 see this person, you know.
4 Q. All right.
5 A. See, I was --
6 Q. Now, in paragraph 64, it is alleged,
7 "The next day, on the evening of January 26th, 2016,
8 the complainant called Defendant Walsh to retract
9 her domestic assault complaint in its entirety."
10 Did I read that correctly?
11 A. Yes, sir.
12 Q. I want you to assume that the
13 complainant that they referred to is your wife,
14 Latoya, so the way this should be read is, "The next
15 day, on the evening of January 26th, 2016, Latoya
16 called Officer Walsh to retract her domestic assault
17 complaint in its entirety."
18 Okay. So my question to you is: Were
19 you with her when she called?
20 A. No, I can't recall if I was with her or
21 not. But she had spoke to me about what she had
22 did.
23 Q. Where were you and where was she when
24 she spoke to you about what she did?
25 A. 1230 Maple.

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1 Q. Where were the kids?
2 A. They were there running around the
3 house.
4 Q. Were any of them around when she told
5 you what she had did?
6 A. I can't recall.
7 MR. HOLLAND: What do you mean by "what
8 she did"?
9 MR. HUGHES: Well, those were the words
10 he used.
11 MR. HOLLAND: Yes.
12 BY MR. HUGHES:
13 Q. When you said, "She spoke to me about
14 what she did" --
15 A. She spoke to me --
16 Q. -- what do you mean?
17 A. She spoke to me about -- what's that
18 word? She spoke to me about retracting her domestic
19 assault complaint in its entirety. She spoke with
20 me about that, like it says.
21 Q. Okay. And, again, I asked you a
22 question, when she called up Officer Walsh, you
23 don't know if you were with her or not, correct?
24 A. Yeah, when she called, I can't recall
25 if I was with her or not, if I was sitting right

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1 there with her. I don't believe I was.
2 Q. But you told her to call the police;
3 isn't that correct?
4 A. No, I never told her to call the
5 police.
6 Q. You were worried, isn't that correct,
7 that your probation would be revoked?
8 MR. HOLLAND: Objection.
9 Argumentative.
10 THE WITNESS: No, I wasn't worried
11 about that.
12 BY MR. HUGHES:
13 Q. You weren't worried if you were charged
14 with and convicted of domestic abuse that your
15 probation could be revoked?
16 A. No, because, like, if you assaulted
17 someone and some of the things that she said I did
18 to her, you know, I'm a man. Like, she would have
19 bruises and things all over her and stuff like that.
20 So I wasn't really worried about that because she
21 had no evidence to really, you know, go with what
22 she was saying, so I wasn't really worried about
23 being convicted or violating my probation.
24 Q. Do you know what time she called?
25 A. No, sir.

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1 Q. But it says in paragraph 64 it was the
2 evening of January 26th; is that correct?
3 A. Paragraph 66?
4 MR. HOLLAND: 64.
5 BY MR. HUGHES:
6 Q. 64.
7 A. Like I say, I don't know when the next
8 day or -- I don't know if I was around, you know,
9 that's why I say kids could have been running around
10 or anything.
11 Q. Do you know what you and Latoya were
12 doing the 26th? Was she down on Raymond? Did you
13 go somewhere?
14 A. I think we was on Maple. She just was
15 just being apologetic and just telling me how she
16 just wanted the marriage to work and things like
17 that.
18 And I just let her know, like, I don't
19 feel like going through this police s-h-i-t over
20 here. We just had problems with where we moved from
21 and, you know, I don't really like dealing with the
22 police, and I had a conversation with her like that.
23 Q. So were you threatening her that day?
24 A. No, sir.
25 Q. Were you begging and pleading with her

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1 that day?
2 A. No, sir.
3 Q. Do you -- did you ask her to call the
4 police to retract her statement?
5 A. Not really, no.
6 Q. Why would she get on the phone and call
7 the police? Did she say?
8 A. The only thing -- the only thing I ever
9 asked her was, Why would you run and put neighbors
10 in our business and stuff like that? Like, I asked
11 her stuff like that.
12 Q. And what did she say?
13 A. She -- she said something along the
14 lines of she don't know -- she -- she knew -- I
15 don't know exactly what she said. I don't know
16 exactly what Latoya said.
17 Q. Did your attorneys talk to your wife
18 that day?
19 A. Like, the attorneys, they don't
20 really -- they don't get involved in, like, personal
21 issues, personal issues, like --
22 Q. Well, did you go -- did your wife go to
23 your attorneys' office that day?
24 A. Not that I'm -- no, I don't believe so.
25 Q. Paragraph 65, it's -- I'll read this.

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1 "Defendant Walsh asked the complainant whether she
2 was being pressured to retract her statement. The
3 complainant responded that she was not, and that she
4 had fabricated all the accusations out of anger."
5 Did I read that correctly?
6 A. Yes, sir.
7 Q. How do you know? How did you know that
8 Officer Walsh asked Latoya whether she was being
9 pressured to retract her statement?
10 A. I don't know what he asked her, but I
11 came home that evening after the altercation. I
12 came back home. You know, I spoke with her.
13 Q. After -- after the altercation of
14 January 25th, you came back home and spoke to her on
15 the 25th? That's what you're saying, right?
16 A. Yeah, the 25th or the 26th, somewhere
17 around there. I came home. I know I came home.
18 Q. So maybe it wasn't until the 26th that
19 you came home?
20 A. That's --
21 Q. Is that what you're saying?
22 A. I'm not accurate. I can't say.
23 Q. So what you're saying is you drove off
24 in the Cadillac the 25th, and maybe you returned on
25 the 26th. Is that what you're saying?

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<p>1 A. Possibly.</p> <p>2 Q. And when you returned the 26th, was</p> <p>3 that in the evening?</p> <p>4 A. I don't know.</p> <p>5 Q. It could be and it may not be; is that</p> <p>6 correct?</p> <p>7 A. Yes, sir.</p> <p>8 MR. HOLLAND: When you say you don't</p> <p>9 know, is it that you don't recall?</p> <p>10 THE WITNESS: Yeah, I don't recall.</p> <p>11 BY MR. HUGHES:</p> <p>12 Q. And then -- and then your -- your wife</p> <p>13 that evening called Officer Walsh saying that she</p> <p>14 was being pressured to retract her statement; is</p> <p>15 that correct?</p> <p>16 MR. HOLLAND: Objection. Misstates the</p> <p>17 testimony.</p> <p>18 THE WITNESS: I don't know anything</p> <p>19 about that.</p> <p>20 BY MR. HUGHES:</p> <p>21 Q. And I'm reading paragraph 65 still.</p> <p>22 "The complainant responded that she was not" -- that</p> <p>23 is, was not being pressured -- "and that she had</p> <p>24 fabricated all the accusations out of anger." Did I</p> <p>25 read that correctly?</p>	<p>1 accusing her of it.</p> <p>2 Q. Well, you must be if you're telling her</p> <p>3 that, Now they could lock you up.</p> <p>4 A. No, I was telling her, you know what</p> <p>5 I'm saying, by lying, you know, you can -- you can</p> <p>6 go to jail, like, they have something for that, too.</p> <p>7 They don't really let too much get past them, like.</p> <p>8 I even told her, like, what they called it, like, I</p> <p>9 forget what they call it when you do stuff like</p> <p>10 that.</p> <p>11 Q. But it sounds to me that you are saying</p> <p>12 she lied to the police and then you said to her, Now</p> <p>13 they can lock you up for lying to the police.</p> <p>14 A. That's true.</p> <p>15 Q. So you're telling us under oath that</p> <p>16 your wife lied to the police?</p> <p>17 A. That's true.</p> <p>18 MR. HOLLAND: We've been going for</p> <p>19 about an hour and 20 minutes. Could we take a quick</p> <p>20 break, please? More for our court reporter than</p> <p>21 anybody else.</p> <p>22 MR. HUGHES: You know, court reporters</p> <p>23 are pretty resilient.</p> <p>24 MR. HOLLAND: Okay.</p> <p>25</p>
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<p>1 A. Yes, sir.</p> <p>2 Q. So were you there and did you heard her</p> <p>3 say -- did you hear her say she had fabricated all</p> <p>4 the accusations out of anger?</p> <p>5 A. I don't think I heard her say that.</p> <p>6 Q. How do you know she said that then?</p> <p>7 A. I spoke with her about all these</p> <p>8 issues. She let me know what she -- what she did as</p> <p>9 far as retracting the statements and stuff like</p> <p>10 that. I let her know that, like, you know, it's</p> <p>11 hard to get into trouble -- do you know what I'm</p> <p>12 saying, and it's easy to get in and it's hard to get</p> <p>13 out, somewhere around those lines.</p> <p>14 I said, Now, these people can come and</p> <p>15 lock you up. I said a whole bunch of things around</p> <p>16 stuff like that. She was just letting me know, I</p> <p>17 don't think they're going to come and lock me up.</p> <p>18 I'm, like, Trust me, these people, when you do</p> <p>19 things like that, you know, they'll come after you.</p> <p>20 Q. What could they lock her up for?</p> <p>21 A. Lying. I forget. They called it</p> <p>22 something when people do things like that.</p> <p>23 Q. Are you accusing your wife of lying to</p> <p>24 the police?</p> <p>25 A. Well, I mean, I'm telling -- I'm not</p>	<p>1 BY MR. HUGHES:</p> <p>2 Q. Paragraph 67, it says here your wife</p> <p>3 called a member of the St. Louis County prosecutor's</p> <p>4 office and retracted this complaint. How do you</p> <p>5 know that to be true?</p> <p>6 A. Because she told me.</p> <p>7 Q. Well, who did she call?</p> <p>8 A. I don't know who she called. Like, in</p> <p>9 our own circumference, like, I mean, that's what she</p> <p>10 said, like, we spoke about these things. Like, we</p> <p>11 married, you know. So when we have problems like</p> <p>12 this, you know, we speak of these things. They</p> <p>13 don't just go away, you know. We have to</p> <p>14 communicate.</p> <p>15 And I let her know, you know, like,</p> <p>16 You're playing with these people. I'm, like, Why do</p> <p>17 you insist on playing with these people? I'm, like,</p> <p>18 These people don't play games like that.</p> <p>19 Q. You allege that in paragraph 69 that on</p> <p>20 January 28th, 2016 at approximately 5:30 p.m. you</p> <p>21 were driving south on Goodfellow Boulevard; is that</p> <p>22 correct?</p> <p>23 A. Yes, sir.</p> <p>24 Q. And who was with you?</p> <p>25 A. Latoya.</p>

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1 Q. Latoya was with you?
2 A. Yes, sir.
3 Q. Who was driving?
4 A. I think I was driving that day.
5 Q. And you were -- I guess I read
6 somewhere that you were stopped at Goodfellow and
7 Stratford; is that correct?
8 A. Yes, sir.
9 Q. And that's close to -- that's on the
10 way to [REDACTED] or driving away from [REDACTED]?
11 A. Past, away.
12 Q. Yeah, driving away from [REDACTED]?
13 A. Yeah.
14 Q. Is that correct?
15 A. Yes, sir.
16 Q. Were you coming from [REDACTED]?
17 A. No, we was actually coming from [REDACTED].
18 Q. Okay.
19 A. From Riverview Circle, from Riverview
20 to Riverview Circle. We came from Prigge, started
21 at Larimore, made a left on Prigge, took Prigge all
22 the way down, made a right onto Riverview, took
23 Riverview all the way down, went -- turned up
24 Riverview Circle, rode up Goodfellow where it starts
25 from the bank, kept going down Goodfellow, past up

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1 had a license. So, but when it came back, they
2 weren't never suspended, when I finally learned.
3 But that particular night, I probably told them
4 that.
5 Q. Can you describe the officers that
6 pulled you over missing the plate and then learning
7 that you had a suspended license, learning it from
8 you?
9 MR. HOLLAND: Objection.
10 THE WITNESS: What do you mean, like,
11 describe them, like?
12 BY MR. HUGHES:
13 Q. Well, what color uniforms were they
14 wearing?
15 A. Officer was wearing brown, light brown
16 shirt, dark brown pants.
17 Q. Do you know who they were?
18 A. I learned, maybe from looking at the
19 police report, his exact name. But I didn't -- at
20 that particular time, I didn't really trip on what
21 his name was.
22 Q. But they pulled you over in the City of
23 St. Louis at Stratford?
24 A. Yeah.
25 Q. By the Job Corps Center, Stratford and

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1 Goodfellow on West Florissant, passing up the
2 Popeyes, passed up Laura, pulled over right there at
3 Job Corps and Stratford, right where the Job Corps
4 Center is right there. Pulled over right there.
5 Q. That's in the City of St. Louis, right?
6 A. Yeah, started all the way from county,
7 though.
8 Q. And -- and -- and you allege that you
9 were -- you did not have plates displayed in the
10 rear of the vehicle; is that correct?
11 A. Yes, sir.
12 Q. Why didn't you have a plate in the rear
13 of the vehicle?
14 A. Illinois puts the temp tags in the
15 front on the right-hand side of the car --
16 Q. And it also --
17 A. -- in the window.
18 Q. It also alleges that you told the
19 officer you were driving with a suspended license.
20 Is that correct? I mean, that's right in
21 paragraph 71.
22 A. I could have told him that because when
23 I went to get insurance on the vehicle, they were
24 telling me that my license was suspended, but I was,
25 like, How is my license suspended, but I never even

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1 Goodfellow, right?
2 A. Yeah. I guess county can pull you over
3 anywhere, right? Even though I was in the city.
4 Q. Did they have a red light on for a
5 period of time, or did you notice one way or the
6 other?
7 A. I was actually past Stratford, like,
8 Job Corps, I was right there by the -- at the Army
9 building, at the Army base building on Goodfellow.
10 St. Louis County, they flagged me right there on
11 Goodfellow in the St. Louis Metropolitan area.
12 Q. And that's still the city?
13 A. Yeah.
14 Q. The Army building is?
15 A. But I was always wondering, like, why
16 was they flagging me in the city, and it was a white
17 and red car, and I never, like -- I could understand
18 if I was leaving out of their jurisdiction. And
19 this was like -- this wasn't no regular St. Louis
20 County. This was Jennings. So I could have
21 understand if it was, like, maybe, like, Walsh or
22 some people like that. But their car doesn't say
23 Jennings on the side. Walsh and his car doesn't say
24 that. His car just says St. Louis County. But
25 these particular police of St. Louis County says

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1 Jennings, but I couldn't understand why I was
2 getting pulled over by these guys.
3 Q. You got pulled over by Jennings police?
4 A. Yeah, St. Louis County.
5 Q. But the car said Jennings?
6 A. Yeah, yep.
7 Q. Now, when you were in the police
8 station at some point you called your attorneys; is
9 that correct?
10 A. Yes, sir.
11 Q. All right. And then in -- and in
12 paragraph 79 and 80, it's alleged that, you know,
13 St. Louis County police were following policy, is
14 that correct, department procedures or policy?
15 A. Say that again.
16 Q. In paragraph 79, the last sentence it
17 said, "However, St. Louis County police refused to
18 release Mr. Furlow pursuant to their policy." Do
19 you see that?
20 A. Yes, sir.
21 Q. So for whatever reason, you were not
22 released immediately, as far as you know, from
23 what's alleged, it was -- it was St. Louis County
24 police policy. It wasn't, for example, Officer
25 Walsh's policy?

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1 over, me and my wife were just -- just taking a
2 ride.
3 Q. And no one else was in your car?
4 A. The kids -- I think the kids was with
5 us. The kids was in the backseat.
6 Q. Seven kids were in the backseat?
7 A. It probably -- yeah, yeah. It was that
8 many kids in the backseat. That was a big car.
9 Q. Now, getting back to that first ticket
10 that you got on -- let's see, February 17th --
11 February 17th, 2016 was your court date, and I think
12 you already indicated that you did not appear in
13 night court, but your attorney did.
14 MR. HOLLAND: By "ticket," are you
15 talking about the summons --
16 MR. HUGHES: The summons.
17 MR. HOLLAND: -- from December 12th?
18 BY MR. HUGHES:
19 Q. The summons for the November 11th
20 incident that the summons was given to you on
21 December 12th, your court date was February 17th,
22 2016; is that correct?
23 A. Yes, sir.
24 Q. And you did not appear, but your
25 attorney did; is that correct?

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1 MR. HOLLAND: Objection.
2 BY MR. HUGHES:
3 Q. As far as you know, right?
4 A. I really don't know how they get that.
5 Q. But that's what's alleged in
6 paragraph 79; do you see that?
7 A. Yeah, I see it right there.
8 Q. And paragraph 80, I don't know who
9 Sergeant James Grace is, but it says that he told
10 your attorney -- well, let's see. It doesn't say
11 who your attorney was, but who is Mr. Furlow's
12 counsel; do you know? Who was the lawyer that was
13 talking to the police?
14 A. He was speaking with Blake.
15 Q. So it says here a sergeant told Blake,
16 I guess, that Officer Walsh "followed department
17 procedures." Do you see that?
18 A. What line was that on?
19 Q. It's on paragraph 80.
20 A. Okay. I see.
21 Q. Where were you going when you were
22 pulled over past Goodfellow and Stratford?
23 A. Run that by me again, sir.
24 Q. Where were you traveling to?
25 A. Actually, that night when I got pulled

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1 A. Yes, sir.
2 Q. And -- and on that date you were still
3 living on Maple; is that correct?
4 A. Yes, sir.
5 Q. And where was Janet Virgin living on
6 that date?
7 MR. HOLLAND: If you know.
8 THE WITNESS: I mean -- I believe that
9 Janet still stayed on Glen Garry.
10 BY MR. HUGHES:
11 Q. Now, have you -- do you have any --
12 ever seen any mental health records of Janet Virgin?
13 A. No. But I've always assumed how her
14 character was, you know, some of the things that she
15 would do, I had always thought that maybe she was in
16 some type of special education class coming up in
17 school.
18 Q. I'd like to direct your attention to
19 April 3rd, 2016. It's a Sunday. And it is about
20 6:30 on a Sunday evening.
21 MR. HOLLAND: Are you directing him to
22 a document or just that day?
23 MR. HUGHES: That day.
24 BY MR. HUGHES:
25 Q. Do you recall where someone from the

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1 Missouri Division of Family Services was
2 investigating a report of possible child abuse or
3 neglect and came to your house?
4 A. I had -- I don't remember that day, but
5 I -- the DFS came over to my house plenty of times
6 from Janet on Glen Garry and then Maple, so I had
7 run-ins with them a lot.
8 Q. Okay.
9 A. But you say on a Sunday?
10 Q. And when you had run-ins with them a
11 lot, you got into some arguments with them?
12 A. Not really arguments. Just asking the
13 people, like, What are you -- what are you guys
14 doing here? Like, asking them who sent them, and
15 they would just let me know, you know, we can't let
16 you know who sent us.
17 Q. Were you aware that on April 3rd, 2016
18 that the people you've had -- the DFS that you had,
19 as you say, run-ins with them a lot, that the DFS
20 woman asked police to go with her for protection
21 because of previous encounters that she had with
22 you?
23 MR. HOLLAND: Objection. Vague.
24 THE WITNESS: Was I aware that she
25 wanted a policeman to come with her?

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1 BY MR. HUGHES:
2 Q. Yeah, police with protection, because
3 of these previous run-ins she had with you and
4 Latoya.
5 A. Maybe phone conversation.
6 Q. Are you aware that she came with a
7 police officer --
8 A. No.
9 Q. -- on Sunday, April 3rd?
10 A. No.
11 Q. You're not aware that Officer Walsh
12 accompanied this DFS person who asked for
13 protection?
14 A. No.
15 Q. And in answer to an interrogatory, you
16 alleged that on May 4th -- on approximately May 4th,
17 Officer Walsh came to 1230 Maple claiming to be
18 responding to an alleged complaint that neighborhood
19 children were trespassing on abandoned property, and
20 you told the officer that "his children were not
21 involved in the alleged trespass."
22 A. That's true.
23 Q. You were aware that there were children
24 running through, you know, trespassing through a
25 neighbor's yard?

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1 A. Yes, sir.
2 Q. And you were aware that the neighbor
3 called police?
4 A. Yes, sir.
5 Q. And you're aware that the neighbor
6 accused your children?
7 A. Yep.
8 Q. And there's another incident you
9 mentioned -- there's -- is the fence of one of your
10 neighbors was damaged by neighborhood kids. You're
11 aware of that?
12 A. Yes, sir.
13 Q. Huh? And then police responded to
14 that; is that correct?
15 A. Uh-huh.
16 Q. Is that a "yes"?
17 A. Yes.
18 Q. And then while they were there, they
19 also talked to you about this dog that the neighbors
20 were complaining was running around the neighborhood
21 and chasing kids? You're aware of that?
22 A. Yeah, they talked to me about that, our
23 dog.
24 Q. And this was that puppy that was
25 mentioned in that automobile -- that was mentioned

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1 in that newspaper article before; isn't that
2 correct? That puppy had grown up?
3 A. I believe so, yes.
4 MR. HOLLAND: Montana?
5 THE WITNESS: Uh-huh.
6 BY MR. HUGHES:
7 Q. But you told the police officer that
8 it's not your dog anymore; isn't that correct?
9 A. We had -- we had multiple -- we had a
10 couple of dogs.
11 Q. My question is: Isn't it correct that
12 you told the police officer it's not your dog
13 anymore?
14 A. Yeah, that was pertaining to another
15 dog though. It was another puppy.
16 Q. There was another dog that was your dog
17 at one time but not anymore? Is that what you're
18 saying?
19 A. Yeah. Some people in the neighborhood
20 asked, could they have the dog, and I had let the
21 people know that they would have to get shots and
22 stuff for the dogs. But ever since we had gave the
23 dog away, we would still see the dog on the street.
24 So by the time the police got there, that's --
25 that's when I made that comment.

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1 Q. Now, there's another time when some
2 kids in the neighborhood were pulling shingles off a
3 roof of one of the neighbors. Were you aware of
4 that?
5 A. Yes.
6 Q. And police officer responded to that;
7 is that correct?
8 A. Yes.
9 Q. And police officer talked to the kids.
10 One of them was one of your kids; is that correct?
11 A. Yes, sir.
12 Q. Police officer didn't arrest anybody,
13 though, right?
14 A. No, sir.
15 Q. Police officer talked to you and you --
16 a police officer talked to you; isn't that correct?
17 A. Yeah, me and my wife.
18 Q. And do you remember yelling at your kid
19 and -- your kid and cursing at him?
20 A. I don't remember that.
21 Q. Do you remember yelling at your kid?
22 A. No, I didn't yell at him. I let my kid
23 talk to them like -- I let him talk. He was saying
24 that he didn't do that. He didn't do that. He was
25 telling -- he was telling me and the police officers

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1 that.
2 A. What day was that? May?
3 Q. According to your answer to
4 interrogatory, "May 18th, 2016: St. Louis County
5 Police Department respond to alleged shots-fired
6 incident on Maple Avenue near the Furlow residence."
7 Now, on that date, are you aware that
8 at least six police officers, including a lieutenant
9 and two sergeants, responded to your street because,
10 as you say, shots-fired incident on Maple Avenue
11 near your house?
12 A. I'm not really familiar with that day
13 because, I mean, I'm not really familiar with that
14 day because it was -- this -- I'm not really
15 familiar with that day. This happened, like, two
16 different times, like, shots was fired when I stayed
17 on Maple.
18 Q. Well, this was -- this was less than a
19 year ago, May 18th, 2016, according to answers to
20 interrogatories. You ended up -- strike that.
21 Now, you say -- you don't remember
22 that day?
23 A. I mean, it was brought to my attention.
24 Q. Let's see. There's -- calls were made
25 to police that shots were coming from the blue

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1 he knew exactly who did it, but he didn't do it.
2 And then the officer would tell my son, They said
3 that you did it, you know. He talked to people and
4 they said that you did it.
5 MR. HOLLAND: Do you need to use the
6 restroom or anything like that?
7 THE WITNESS: No.
8 BY MR. HUGHES:
9 Q. Did you remember your -- Latoya saying
10 to [REDACTED], "Stay the F off that man's roof," when
11 the police were there? And I apologize for
12 misspeaking, saying you're the one who cursed. But
13 do you remember Latoya saying that to [REDACTED]?
14 A. Yes, I remember her saying that.
15 Q. And the officer did not arrest [REDACTED]
16 or anyone else but just trying to tell you to tell
17 the kids to stay off this man's roof?
18 A. He took my son's name down. He asked
19 my son his information and stuff like that. Asked
20 me -- asked me did he know when he was born and
21 stuff like that, asked him did he know his birthday.
22 Q. And answer to interrogatory 10, you
23 indicated that St. Louis County Police Department
24 responded to alleged shots fired on Maple Avenue
25 near the Furlow residence. I want to talk about

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1 house. You lived in a blue house; is that correct?
2 A. That's true.
3 Q. And then the blue house was at 1230
4 Maple?
5 A. Yes, sir.
6 Q. You lived at Maple, 1230 Maple; is that
7 correct?
8 A. Yes, sir.
9 Q. And, you know, the report was eight
10 rounds were shot off in the street, and then two
11 males got into a red four-door Chevy and drove away.
12 Do you want to tell me who those two males were who
13 drove off in the red four-door Chevy?
14 A. There was a guy named -- well, I can
15 tell you who owned that car that you're talking
16 about. I spoke to my wife about what went on. And
17 then the red car belonged to a guy named Sherman,
18 and the other guy he was with was a guy named -- his
19 nickname was We.
20 Q. Was what?
21 A. We, W-e. At this particular time, I
22 didn't own the car.
23 Q. And, actually, at the time these eight
24 shots were heard, there were children playing
25 outside on your street?

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1 A. Uh-huh.
2 Q. One in the front yard -- at least
3 one -- the children were in one front yard and some
4 in the street?
5 MR. HOLLAND: I'm just going to
6 interject --
7 THE WITNESS: I'm not sure about that.
8 BY MR. HUGHES:
9 Q. You're not sure if the children were
10 out there playing in the street when the shots were
11 fired?
12 A. No, sir.
13 MR. HOLLAND: Due to pending charges,
14 I'm just going to instruct my client not to answer
15 any further questions about this incident which
16 occurred after this litigation was filed, and I
17 would just instruct him not to answer anything
18 further.
19 BY MR. HUGHES:
20 Q. Well, it's -- it's in your answers to
21 interrogatories. The -- let me ask you this: Was
22 there any man living at 1230 Maple on May 18th,
23 2016, besides you living there?
24 A. No, sir.
25 Q. And there is a wooden trailer parked in

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1 commercial, but talking about New Year's Eve. I
2 heard about that a couple years ago. I didn't know,
3 but I learned it a couple years ago.
4 Q. Now, when the officers responded, they
5 did talk -- at least one officer named White talked
6 to your wife, Latoya.
7 A. I don't know who spoke with them.
8 Q. But you agree your wife was home; is
9 that correct?
10 MR. HOLLAND: I'm going to instruct my
11 client not to answer that question or, again, any
12 questions related to this incident.
13 BY MR. HUGHES:
14 Q. Are you going to answer that question?
15 Your wife was home that night?
16 A. That's what it states in the police
17 report.
18 Q. And she was home?
19 MR. HOLLAND: I'm going to instruct my
20 client not to answer the question.
21 BY MR. HUGHES:
22 Q. What's your answer?
23 A. Well, I'm going to roll with the
24 counsel and --
25 Q. Do you agree that your wife did not

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1 your driveway. Do you know whose trailer that was?
2 MR. HOLLAND: Right now or --
3 BY MR. HUGHES:
4 Q. No, back May 18th, 2016.
5 A. That was Frank's trailer.
6 Q. It was whose?
7 A. Frank's.
8 Q. Friend?
9 A. Landlord.
10 Q. Oh, landlord's trailer?
11 A. Yes, sir.
12 Q. What was that doing there?
13 A. I don't know. It looked like he had
14 some leaves or some things sitting inside of there,
15 tools, something like that.
16 Q. Do you recall hearing a woman yell out
17 after the shots were fired, "What the F?"
18 MR. HOLLAND: Just going to instruct my
19 client not to answer the questions related to this
20 incident any further.
21 BY MR. HUGHES:
22 Q. Do you know when shots are fired in the
23 air with a rifle that they come down, and they could
24 kill somebody?
25 A. Yeah, I heard about that on a

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1 allow police inside the house that night?
2 MR. HOLLAND: I'm going to instruct my
3 client not to answer the question.
4 BY MR. HUGHES:
5 Q. What's your answer?
6 A. The Fifth.
7 Q. Were you aware when all those police
8 arrived that one of the police officers recovered 13
9 spent rifle casings in the driveway of 1230 Maple
10 Avenue?
11 MR. HOLLAND: Again, I'm going to
12 instruct my client not to answer that question.
13 BY MR. HUGHES:
14 Q. What is your answer?
15 A. The Fifth. Plead the Fifth.
16 Q. 1230 Maple is your driveway?
17 A. Yes, sir.
18 Q. How do you suppose that 13 spent rifle
19 casings ended up on your driveway that -- that day?
20 MR. HOLLAND: I'm going to instruct my
21 client not to answer the question.
22 BY MR. HUGHES:
23 Q. What's your answer?
24 A. To invoice my Fifth Amendment.
25 Q. You have -- you're being charged with

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1 unlawful possession of a firearm, felony; is that
2 correct?
3 A. Is it unlawful possession? Kind of
4 switched it up. First it was U UW. Then it switched
5 from --
6 Q. I just saw that on CaseNet.
7 MR. HOLLAND: Why don't you tell him
8 what your understanding is.
9 BY MR. HUGHES:
10 Q. It said, 571.070, unlawful possession
11 of a firearm.
12 A. Then the question was?
13 Q. That's what you're being charged with;
14 is that right?
15 A. I believe so.
16 MR. HOLLAND: Is this a good time for a
17 break?
18 MR. HUGHES: Well, if -- if you want.
19 I don't know why we'd have the break. Does someone
20 really need to go to the bathroom?
21 THE WITNESS: I mean, how long we got?
22 You don't know?
23 MR. HUGHES: Huh? I mean, we have all
24 these bathroom breaks, and I go down there, and I
25 notice no one else is in the bathroom, except me.

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1 And I don't even have to go.
2 THE WITNESS: I don't -- I'm all right.
3 MR. HOLLAND: Then let's go.
4 (Recess taken.)
5 (Exhibit D was marked for
6 identification.)
7 BY MR. HUGHES:
8 Q. I'd like to show you what's been marked
9 as Exhibit D. I don't know if you've seen this
10 before or not, but in your criminal case that's
11 pending, your attorneys filed a motion to reduce
12 bond. And I got this right off of CaseNet. I've
13 printed it out. Public record.
14 Have you ever seen this before?
15 A. No, sir.
16 Q. But, apparently, you spoke to your
17 attorneys regarding various matters to try to get
18 your bond reduced; would that be a fair statement?
19 A. Yes, sir.
20 Q. And let's turn to page 6 of 10. It
21 says you're -- under "Employment and Financial
22 Resources," subparagraph B, you know, like, towards
23 the top of the page, about the third paragraph; do
24 you see that?
25 A. Yes, sir.

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1 Q. It said you are presently working
2 approximately 40 hours per week for Joe Fazio's
3 restaurant, where he earns approximately \$800 to
4 \$1200 per month after withholding. Do you see that?
5 A. Yes, sir.
6 Q. That's not -- that's not a true
7 statement, is it?
8 A. Why do you say that?
9 Q. Well, I guess you -- you weren't
10 working in November for Joe Fazio's restaurant. You
11 were working for a temp agency; is that correct?
12 A. And the temp agency placed me at Joe
13 Fazio's.
14 Q. And I guess what you testified to
15 earlier, but maybe you want to change your
16 testimony, you only worked there two weeks and then
17 you left on your own?
18 A. Yes, that's accurate.
19 Q. And Joe Fazio's isn't even a
20 restaurant; it's a bakery?
21 A. That's true, a bakery.
22 Q. And you never did earn any monthly
23 salary since you just worked two weeks before you
24 walked away from it; is that correct?
25 A. I earned from two -- I had two pay

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1 periods.
2 Q. And a pay period is one week?
3 A. Two -- it was two weeks.
4 Q. You worked there a month?
5 A. Yeah, I got paid twice.
6 Q. All right. But this -- that didn't
7 mention your other jobs, like, for that company in
8 Illinois that you worked where you cleaned?
9 A. Is it -- is -- I wasn't cleaning. I
10 wasn't cleaning with Mr. Johnson at this time of
11 my -- when I was incarcerated. I wasn't cleaning
12 with him.
13 Q. And then at the bottom, it says -- oh,
14 and also, it didn't mention about your -- your tire
15 business, did it?
16 A. Where is that at?
17 Q. In subparagraph D, where your financial
18 resources.
19 MR. HOLLAND: Subparagraph B.
20 BY MR. HUGHES:
21 Q. Subparagraph B, it doesn't mention
22 anything about your tire business.
23 A. No.
24 Q. And didn't mention what your wife was
25 doing, where was she working, did it?

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1 MR. HOLLAND: He's asking about
2 subparagraph B. You should see it on the last page,
3 this document is dated --
4 THE WITNESS: It says nothing about
5 Latoya.
6 BY MR. HUGHES:
7 Q. And at the very bottom it says you are
8 presently attending probation appointments and also
9 attending drug classes; do you see that?
10 A. Yes, sir.
11 Q. How long did your drug classes last?
12 A. It lasted -- it lasted for a while.
13 Q. Give me your -- weeks? Days? Months?
14 A. Months.
15 Q. Where were your classes?
16 A. CAA, Community Action Agency.
17 Q. Where is that?
18 A. That's in Breckenridge.
19 Q. And was the classes at night or during
20 the day?
21 A. Morning, nights.
22 Q. Would they last a half hour an hour,
23 two hours?
24 A. They were an hour.
25 Q. And how many weeks did you attend?

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1 A. I had to -- I completed 12 weeks.
2 Q. Wow. So how many -- how many classes a
3 week?
4 A. They had three.
5 Q. You went to three classes a week for 12
6 weeks?
7 A. No, they had -- they provided three
8 classes a week.
9 Q. Oh.
10 A. Sometimes I went to three classes a
11 week, but there was times that I mainly just maybe
12 attended one.
13 Q. Let's go to page 7. Now, remember, I
14 asked you a question regarding this incident
15 involving shots being fired in the air, and I asked
16 you, isn't it true numerous -- you know, at least
17 six officers came by in response to the shots being
18 fired, including a lieutenant, two sergeants, and
19 other officers? And you said, yes, you were aware.
20 None of the officers who came by was
21 Officer Walsh; isn't that correct?
22 A. I'm not sure who came by.
23 Q. But you don't have any recollection of
24 Officer Walsh in any way being involved in that
25 or --

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1 A. I'm not sure what any officer came -- I
2 didn't -- I mean, no, I don't know any officer that
3 came through.
4 Q. Well, you know you've sued Officer
5 Walsh in this lawsuit? Are you aware of that?
6 A. Correct.
7 Q. Huh?
8 A. Correct.
9 Q. And on -- on page 7 of 10 in the middle
10 of the page, paragraph, and it says, "Notably, the
11 instant charge stems from an incident, which
12 purportedly occurred after" -- and after is
13 highlighted -- "Mr. Furlow filed a federal lawsuit
14 on February 24th, 2016. Furthermore, the instant
15 charge is partly alleged by out-of-court statements
16 of St. Louis County Police Officer Kevin Walsh -- a
17 named defendant in the federal lawsuit -- regarding
18 a prior instance where Officer Walsh claims to have
19 viewed a gun in the trunk of a car near the Furlow
20 residence, to which Mr. Furlow did not have access,
21 and for which instance Mr. Furlow was not present.
22 As a named defendant in a lawsuit by Mr. Furlow,
23 Officer Walsh had and continues to have a conflict
24 of interest and stands to gain from Mr. Furlow being
25 charged herein." Did I read that correctly?

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1 A. That's 7 out of 10, right?
2 Q. Huh?
3 A. That's page 7 out of 10?
4 Q. Yes.
5 A. Yes, sir.
6 Q. You know, I asked you a question before
7 about whether or not that AR15 rifle was in the
8 house, and I think you did not answer the question,
9 and you refused to answer questions about that. But
10 now you're making allegations that the --
11 A. Can I ask her what I said?
12 MR. HOLLAND: Let him ask his question.
13 BY MR. HUGHES:
14 Q. Let me ask you this: Going back to the
15 time Officer Walsh was -- responded to your wife
16 running to the neighbor's house saying that you had
17 beat her up, and then -- and then when Officer Walsh
18 asked your wife if she would want him to make a
19 protective sweep just to see if you had returned to
20 the house, and he found a loaded AR15 rifle in the
21 house, isn't it true that there was a fully-loaded
22 AR15 rifle in your house on that day?
23 MR. HOLLAND: I'll again instruct my
24 client not to answer. You're asserting things that
25 Officer Walsh said as facts. I would instruct him

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1 not to answer that question.
2 BY MR. HUGHES:
3 Q. Are you going to answer the question?
4 A. On the advice of counsel, I'm going to
5 invoice my Fifth Amendment.
6 Q. But you see they're making allegations
7 against Officer Walsh.
8 MR. HOLLAND: If you read -- I'll just
9 object to your characterization of what's in this
10 document. All it says is that Officer Walsh claimed
11 to have viewed a gun, which we're not --
12 MR. HUGHES: In his trunk.
13 MR. HOLLAND: -- which we're not
14 disputing --
15 MR. HUGHES: In a car.
16 MR. HOLLAND: -- Officer Walsh has
17 claimed that, whether in the police report or
18 orally. We're just -- I'm advising Dwayne not to
19 answer any questions as to, you know --
20 MR. HUGHES: Did --
21 MR. HOLLAND: -- his knowledge --
22 MR. HUGHES: There's no police report
23 whatsoever that says Officer Walsh claims to have
24 viewed a gun in a trunk of a car --
25 MR. HOLLAND: I'm talking --

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1 MR. HOLLAND: You're asking Mr. Furlow
2 to say that there was a gun. You're asking
3 Mr. Furlow from his perspective to say he's aware of
4 a gun. Those are different questions from whether
5 Officer Walsh claimed that there was a gun, which we
6 are not disputing.
7 He clearly -- in the police report you
8 referred to earlier and in this document, he said he
9 claimed to have -- there was a gun there.
10 Your question to Mr. Furlow that we're
11 advising him not to answer is different than that
12 assertion.
13 MR. HUGHES: The -- where Officer Walsh
14 claims to have viewed a gun was inside the house, so
15 my question was: Isn't it true a gun was inside the
16 house? And you're advising him not to answer?
17 MR. HOLLAND: Correct. I think you're
18 asking --
19 MR. HUGHES: And what is alleged
20 here --
21 MR. HOLLAND: You're suggesting
22 something and then asking him something else.
23 MR. HUGHES: What is alleged here,
24 without any basis whatsoever but was presented to a
25 judge, was that Officer Walsh claims to have viewed

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1 MR. HUGHES: -- near the Furlow
2 residence.
3 MR. HOLLAND: Earlier, you were
4 referring to a police report. Now you're referring
5 to this document that Mr. Furlow's attorneys
6 submitted to the court, and it merely said that
7 Officer Walsh claims to have viewed a gun. We're
8 not disputing that.
9 MR. HUGHES: Claims to have viewed a
10 gun --
11 MR. HOLLAND: He's not saying --
12 MR. HUGHES: -- in the trunk of a
13 car --
14 MR. HOLLAND: This does not say --
15 MR. HUGHES: -- near the Furlow
16 residence.
17 MR. HOLLAND: This does not say that
18 Mr. Furlow says there was a gun. Officer Walsh
19 claims to have viewed a gun, which Mr. Furlow has
20 not disputed at one point today that Officer Walsh
21 claims.
22 MR. HUGHES: There is no basis.
23 MR. HOLLAND: Your question is
24 different than that.
25 MR. HUGHES: There's no basis.

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1 a gun in the trunk of a car near the Furlow
2 residence --
3 MR. HOLLAND: If you asked Mr. Furlow
4 if he was aware --
5 MR. HUGHES: -- to which Mr. Furlow did
6 not have access.
7 MR. HOLLAND: If you asked Mr. Furlow
8 if he was aware that Officer Walsh claimed that
9 there was a gun in his house, he may be able to
10 answer that question. If you ask Mr. Furlow if
11 there was a gun in his house, I would advise him not
12 to answer that question.
13 They are two different questions,
14 Mr. Hughes.
15 BY MR. HUGHES:
16 Q. Are you aware Officer Walsh claimed to
17 have viewed a fully-loaded AR15 rifle inside your
18 house when he was walking through the house with
19 your wife?
20 MR. HOLLAND: When are you asking him
21 if he was aware? Today?
22 You can answer if you are aware that
23 Officer Walsh claimed that he saw a gun in your
24 house.
25

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1 BY MR. HUGHES:
2 Q. A fully-loaded AR15 rifle inside your
3 house.
4 MR. HOLLAND: If he claimed to have
5 seen it.
6 THE WITNESS: Now, today, what's
7 today's date?
8 MR. STRODE: 14th.
9 THE WITNESS: The 14th. I've been
10 aware for about -- it's been -- it's been some
11 weeks. Could have been a month.
12 MR. HOLLAND: And just be clear for the
13 record what you're aware of, what you're saying
14 you're aware of.
15 THE WITNESS: I'm aware that Mr. Kevin
16 Walsh said that he found some type of gun in the
17 residence of 1230 Maple.
18 BY MR. HUGHES:
19 Q. Some type of gun being an AR15 rifle?
20 A. Yes, sir.
21 Q. You're aware that -- you're not aware
22 that Officer Walsh ever claims to have viewed this
23 AR15 rifle in the trunk of a car near the Furlow
24 residence to which you didn't have any access to?
25 You're not aware of Officer Walsh ever making that

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1 EXAMINATION
2 BY MR. HOLLAND:
3 Q. I'm just going to ask you a few
4 questions. Hopefully it won't take too long.
5 Earlier today, Mr. Hughes was talking
6 to you about an incident on November 11th, 2015. Do
7 you remember that, referring to Ms. Virgin?
8 A. Yes, sir.
9 Q. You were talking to Mr. Hughes about a
10 cab driver; do you remember that?
11 A. Yes, sir.
12 Q. I think you said to Mr. Hughes that you
13 could understand the cab driver; is that right?
14 A. Yes, sir.
15 Q. Do you speak any language other than
16 English?
17 A. No, sir.
18 Q. Your son also spoke to the cab driver?
19 A. Yes, sir.
20 Q. He understood what the cab driver was
21 saying?
22 A. Yes, sir.
23 Q. Does your son speak any language other
24 than English?
25 A. No.

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1 claim, are you?
2 A. I don't know anything about any of
3 that.
4 MR. HOLLAND: Can we just do a check on
5 how long we've been on the record for?
6 (Discussion off the record.)
7 BY MR. HUGHES:
8 Q. Did you threaten to shoot your
9 landlord?
10 A. No, sir.
11 Q. Did you show your --
12 A. He threatened to shoot me.
13 Q. Did you show him your firearm?
14 A. No, sir. I didn't show him anything.
15 MR. HOLLAND: Just object that the
16 questioning assumes that Mr. Furlow has a firearm.
17 He previously testified that he does not.
18 BY MR. HUGHES:
19 Q. Has there ever been a protective order
20 filed against you, motion for protective order?
21 A. No, sir, not that I know, sir. Not
22 that I know of.
23 Q. All right. I'm done. Thank you,
24 Mr. Furlow. I have no other questions.
25

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1 Q. And then you said you were also on the
2 phone with officer -- with an officer. I don't
3 think you can remember his name at the time -- after
4 you had -- when you were on your way to driving your
5 daughter to daycare; is that correct?
6 A. Uh-huh.
7 Q. After you spoke with that officer, did
8 you continue on to drop your daughter at daycare?
9 A. Yes, sir.
10 Q. And that -- that phone call with
11 Officer Partin, did it end with him telling you that
12 he would enter a wanted into the system for you?
13 A. Yes.
14 Q. At that time what was your
15 understanding of what could happen to you if you
16 were in the system as wanted for questioning?
17 A. I'm trying to figure out --
18 Q. Let me rephrase the question. So you
19 hang up the phone with officer -- with the officer
20 you were speaking to, who I will stipulate to you,
21 if Mike will, that it was Officer Partin, and he
22 tells you he's going to enter your name into the
23 system as a wanted. Did I say that correctly?
24 A. Yes, sir.
25 Q. So at that time when he tells you that,

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1 what did you -- what was your understanding of what
2 it meant to be wanted for questioning? What could
3 happen to you?
4 A. Probation trouble.
5 Q. Between the time you hung up the phone
6 with him and you went to the court on December 12th,
7 were you at all concerned that you could be arrested
8 at any moment?
9 A. Yes.
10 Q. Why?
11 A. Because the wanted being in the system,
12 like you said, I was worried because that -- yeah, I
13 was -- yeah, I was just worried about being
14 anywhere, being arrested, any county, any city.
15 Q. Because of the wanted?
16 A. Uh-huh.
17 Q. Is there a reason why you didn't go --
18 so that happened on November 11th. You went with
19 Blake to the Justice Center on December 12th. Is
20 there a reason why you didn't go down to the police
21 station or any police station earlier than
22 December 12th?
23 A. I mean, the only reason that -- once I
24 let my lawyers know, I just -- I believe that it was
25 set up for me to -- it was set up for me to meet

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1 with the officer through the attorneys.
2 I tried meeting with him at a time. He
3 wasn't up for that though. I told him I -- I told
4 the officer that, you know, me and him could touch
5 bases, you know, after I finished doing what I was
6 doing. I mean, but he wasn't up for that, so he
7 went on ahead and put the wanted in the system.
8 Q. And now I'm talking about --
9 MR. HUGHES: Excuse me. I object as
10 nonresponsive. I move to strike the nonresponsive
11 portion.
12 MR. HOLLAND: Noted.
13 BY MR. HOLLAND:
14 Q. So I'm talking now about your -- after
15 that day, before you went to meet with the officer
16 on December 12th, do you recall being told that
17 Officer Partin was insisting you turn yourself in to
18 the precinct station and you would have to be
19 transferred to the county Justice Center by police?
20 Do you recall being told that?
21 MR. HUGHES: Objection. Hearsay. And
22 assumes facts not in evidence. Object to the form
23 of the question. Doesn't identify who -- who told
24 him that.
25

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1 BY MR. HOLLAND:
2 Q. Do you recall being told by your
3 attorneys that Officer Partin was insisting you turn
4 yourself in to the precinct station?
5 MR. HUGHES: Are we getting into
6 attorney-client matter? Are we opening it up?
7 MR. HOLLAND: I'll skip on the
8 question.
9 BY MR. HOLLAND:
10 Q. Just related -- let's just stay on that
11 for a second. If you'll look at Exhibit A, which is
12 your responses to interrogatories that you were
13 discussing with Mr. Hughes earlier, your response to
14 interrogatory 4 which asks for the names, addresses,
15 and telephone numbers, you listed Latoya and
16 Defendant Kevin Walsh.
17 Would it be a fair statement that on
18 January 30th, when you were looking at this
19 document, your understanding on that day was focused
20 on the incident with Officer Walsh, and then between
21 that day and the deposition today, your recollection
22 has been refreshed that the incident with Janet
23 Virgin is also a part of this case? Would that be
24 fair to say?
25 A. Yes, I would say --

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1 MR. HUGHES: Objection to the form of
2 the question. It's leading and suggestive, and the
3 attorney is testifying.
4 MR. HOLLAND: And, Mike, we'll get
5 these interrogatories amended to reflect his current
6 understanding as to that.
7 MR. HUGHES: Oh, I do have some things
8 I want to ask.
9 BY MR. HOLLAND:
10 Q. On the -- on the day you were arrested
11 in January on the traffic stop that Mr. Hughes asked
12 you about earlier, did the officers tell you why you
13 were being arrested, taken in?
14 A. Yes, sir.
15 MR. HUGHES: Objection. Hearsay.
16 BY MR. HOLLAND:
17 Q. What did they tell you?
18 MR. HUGHES: Same objection.
19 THE WITNESS: Well, he told me that I'm
20 just being taken down for the wanted and that he
21 has to take me down and, you know, that's what he
22 told me. My wife was talking to him and saying a
23 whole bunch of stuff.
24 BY MR. HOLLAND:
25 Q. Just so I have the timeline right, you

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<p>1 were arrested, and then a couple days before that,</p> <p>2 your -- is it right that your wife recanted her</p> <p>3 allegations entirely?</p> <p>4 A. I believe --</p> <p>5 MR. HUGHES: I object to the form of</p> <p>6 the question. I object to the form of the question</p> <p>7 as leading and suggestive.</p> <p>8 THE WITNESS: I'm not for sure when she</p> <p>9 recanted her statement, but it was somewhere -- it</p> <p>10 was -- it was -- it was somewhere between the 25th</p> <p>11 and the 26th. I wasn't present with her. I can't</p> <p>12 recall being present with my wife when she recanted</p> <p>13 her statement.</p> <p>14 MR. HOLLAND: I don't have any other</p> <p>15 questions.</p> <p>16 MR. HUGHES: Let's see, I'd like to --</p> <p>17 where are we?</p> <p>18 MR. HOLLAND: E.</p> <p>19 MR. HUGHES: E, mark this E and this F.</p> <p>20 And I'll tell you what they are. They're -- E is</p> <p>21 authorization to inspect and copy work records.</p> <p>22 You've talked about various places you were working</p> <p>23 during -- in your deposition.</p> <p>24 And you also indicated that your son</p> <p>25 was treated at the school or seen by a nurse at</p>	<p>1 characterization of the documents.</p> <p>2 MR. HUGHES: One, a letter from Blake</p> <p>3 Strode, and another -- it looks like an email,</p> <p>4 another -- a letter to Captain Means. Another</p> <p>5 ArchCity Defenders letter to St. Louis County Police</p> <p>6 Department.</p> <p>7 MR. HOLLAND: Mike, if you have --</p> <p>8 MR. HUGHES: And another -- an arrest</p> <p>9 notification. That's the sum total of the documents</p> <p>10 that you have produced.</p> <p>11 MR. HOLLAND: Mike, if you have issues</p> <p>12 with the document production on behalf of</p> <p>13 defendants, we would be happy to meet and confer</p> <p>14 about any questions you have, as we have done with</p> <p>15 you in this litigation.</p> <p>16 MR. HUGHES: Let's --</p> <p>17 MR. HOLLAND: This is the first time</p> <p>18 you're raising any concerns about the document</p> <p>19 production in a deposition. You received documents</p> <p>20 from us in a timely basis, so if -- a more</p> <p>21 appropriate setting would be in a meet and confer</p> <p>22 but -- and I don't want on the record there to be</p> <p>23 any suggestion that Mr. Furlow has been withholding</p> <p>24 anything from you because that is not the case.</p> <p>25 (Exhibit G was marked for</p>
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<p>1 school, so I'd like to examine those records. And</p> <p>2 that will be marked as F, I guess, medical</p> <p>3 authorization.</p> <p>4 (Exhibit E was marked for</p> <p>5 identification.)</p> <p>6 (Exhibit F was marked for</p> <p>7 identification.)</p> <p>8 MR. HOLLAND: Do you have extra copies?</p> <p>9 MR. HUGHES: Yes.</p> <p>10 MR. HOLLAND: Do you mind if we take</p> <p>11 these away and discuss with Dwayne and get them back</p> <p>12 to you?</p> <p>13 MR. HUGHES: I guess I gave multiple</p> <p>14 employment authorizations. Why don't you -- well,</p> <p>15 why don't we just leave the original -- I mean, the</p> <p>16 top copy of each for the court reporter, and then</p> <p>17 you can take all the others.</p> <p>18 MR. HOLLAND: Sure.</p> <p>19 I'm sorry. Did you have further</p> <p>20 questions for Mr. Furlow?</p> <p>21 MR. HUGHES: Yeah, I think I might.</p> <p>22 Are you going to be producing some documents -- you</p> <p>23 produced practically no documents, other than some</p> <p>24 self-serving letters.</p> <p>25 MR. HOLLAND: Objection to the</p>	<p>1 identification.)</p> <p>2 MR. HUGHES: Well, in response to</p> <p>3 requests for documents number 1, you said,</p> <p>4 "Plaintiff will produce non-privileged documents</p> <p>5 responsive to this request, if any," and I'm just</p> <p>6 hanging out to dry here.</p> <p>7 Response to number 2, "Plaintiff will</p> <p>8 produce non-privileged documents responsive to this</p> <p>9 request, if any."</p> <p>10 Response number 4, "Plaintiff will</p> <p>11 produce non-privileged documents responsive to this</p> <p>12 request, if any."</p> <p>13 Response number 5 --</p> <p>14 MR. HOLLAND: Is there a question?</p> <p>15 MR. HUGHES: -- "Plaintiff will produce</p> <p>16 non-privileged documents responsive to this request,</p> <p>17 if any."</p> <p>18 Well, you know, we've got -- you know,</p> <p>19 all these responses. Are you going to produce some</p> <p>20 documents, or am I supposed to scratch my head and</p> <p>21 wonder if there are any documents responsive, if</p> <p>22 any?</p> <p>23 MR. HOLLAND: If any, you will receive</p> <p>24 them. We have produced what Mr. Furlow and his</p> <p>25 counsel are aware of to date, and if we learn of any</p>

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<p>1 new ones, you will be the first to know.</p> <p>2 But, again, this is a more appropriate</p> <p>3 discussion to have during a meet and confer. If you</p> <p>4 have specific questions where you think there might</p> <p>5 be documents that exist --</p> <p>6 MR. HUGHES: All right. I have no</p> <p>7 other questions. Oh, wait, maybe I do have some</p> <p>8 questions.</p> <p>9 MR. HOLLAND: -- let us know.</p> <p>10 FURTHER EXAMINATION</p> <p>11 BY MR. HUGHES:</p> <p>12 Q. During the break, when we were in the</p> <p>13 bathroom, you met with your attorneys in a</p> <p>14 conference room down the hall; is that correct?</p> <p>15 A. Several breaks.</p> <p>16 Q. Okay.</p> <p>17 A. Which one?</p> <p>18 MR. HUGHES: I have no other questions.</p> <p>19 MR. HOLLAND: I don't have any</p> <p>20 questions.</p> <p>21 MR. HUGHES: Is he going to read?</p> <p>22 MR. HOLLAND: We will, just because</p> <p>23 there's no video. We'll give it a review and sign</p> <p>24 off on it.</p> <p>25 MR. HUGHES: Okay.</p>	<p>1 CERTIFICATE OF REPORTER</p> <p>2</p> <p>3 I, RENÉE COMBS QUINBY, a Registered Merit</p> <p>4 Reporter, Certified Realtime Reporter, Certified</p> <p>5 Shorthand Reporter (CA), Certified Court Reporter</p> <p>6 (MO), Realtime Systems Administrator, and Notary</p> <p>7 Public within and for the State of Missouri, do</p> <p>8 hereby certify that the witness whose testimony</p> <p>9 appears in the foregoing deposition was duly sworn</p> <p>10 by me to testify to the truth and nothing but the</p> <p>11 truth; that the testimony of said witness was taken</p> <p>12 by stenographic means by me to the best of my</p> <p>13 ability and thereafter reduced to print under my</p> <p>14 direction.</p> <p>15 I further certify that I am neither</p> <p>16 attorney nor counsel nor related nor employed by any</p> <p>17 of the parties to the action in which this</p> <p>18 deposition was taken; further, that I am not a</p> <p>19 relative or employee of any attorney or counsel</p> <p>20 employed by the parties hereto or financially</p> <p>21 interested in this action.</p> <p>22 My Commission expires April 9, 2017</p> <p>23</p> <p>24 -----</p> <p>25 Renée Combs Quinby, RMR, CRR, CCR #1291</p>
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<p>1 (Whereupon, signature was not</p> <p>2 waived and the witness was</p> <p>3 excused at 4:47 p.m.)</p> <p>4 --oOo--</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 Midwest Litigation Services</p> <p>2 711 North Eleventh Street</p> <p>3 St. Louis, Missouri 63101</p> <p>4 Phone (314) 644-2191</p> <p>5 Fax (314) 644-1334</p> <p>6</p> <p>7 February 20, 2017</p> <p>8 Timothy Holland, Esq.</p> <p>9 Paul, Weiss, Rifkind, Wharton & Garrison LLP</p> <p>10 1285 Avenue of the Americas</p> <p>11 New York, NY 10019-6064</p> <p>12 Re: DWAYNE FURLOW, et al. vs. JON BELMAR, et al.</p> <p>13 Dear Mr. Holland:</p> <p>14 Please find enclosed your copy of the deposition of</p> <p>15 DWAYNE FURLOW, taken on February 14, 2017 in the</p> <p>16 above-referenced case. Also enclosed is the</p> <p>17 original signature page and errata sheets.</p> <p>18</p> <p>19 Please have the witness read your copy of the</p> <p>20 transcript, indicate any changes and/or corrections</p> <p>21 desired on the errata sheets, and sign the signature</p> <p>22 page before a notary public.</p> <p>23 Please return the errata sheets and notarized</p> <p>24 signature page to Midwest Litigation Services</p> <p>25 for filing prior to trial date.</p> <p>Thank you for your attention to this matter.</p> <p>Sincerely,</p> <p>Renée Combs Quinby, RMR, CRR, CSR (CA), CCR (MO)</p> <p>Enclosures</p> <p>CC: All counsel</p>

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1 I, DWAYNE FURLOW, do hereby certify:
2 That I have read the foregoing deposition;
3 That I have made such changes in form and/or
4 substance to the within deposition as might be
5 necessary to render the same true and correct;
6 That having made such changes thereon, I
7 hereby subscribe my name to the deposition.
8 I declare under penalty of perjury that
9 the foregoing is true and correct.
10
11 Executed the _____ day of _____,
12 20____, at _____.
13
14 _____.
15 Notary Public
16
17 My Commission Expires: _____
18 Signature: _____
19 DWAYNE FURLOW
20
21
22
23
24
25

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1 Errata Sheet
2 Witness: DWAYNE FURLOW
3 In Re: DWAYNE FURLOW, et al. vs. JON BELMAR, et al.
4 Upon reading the deposition and before subscribing
5 thereto, the deponent indicated the following
6 changes should be made:
7 Page Line Should read:
Reason assigned for change :
8
9 Page Line Should read:
Reason assigned for change :
10
11 Page Line Should read:
Reason assigned for change :
12
13 Page Line Should read:
Reason assigned for change :
14
15 Page Line Should read:
Reason assigned for change :
16
17 Page Line Should read:
Reason assigned for change :
18
19 Page Line Should read:
Reason assigned for change :
20
21 Page Line Should read:
Reason assigned for change :
22
23 Reporter: Renée Combs Quinby
24
25

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ERRATA SHEET

Name of Case: *Furlow v. Belmar*, 4:16-cv-00254-CEJ

Date of Deposition: 2/14/2017

Deponent: Dwayne D. Furlow

Page	Line	Change	Change To	Reason
12	3	Just this once, time.	Just this one time.	Transcription error.
31	3-4	I didn't know that I was on probation -- I mean, on child support staying in the same house as her,	I didn't know that I was on probation -- I mean, on child support -- staying in the same house as her,	Transcription error.
105	23	there are plea arguments.	there are plea agreements.	Transcription error.
149	24-25	So as I got out of the window,	So as I got out of the bed,	Transcription error.
210	1	because he's an LSE.	because he's an LLC.	Transcription error.
280	24	To invoice my Fifth Amendment.	To invoke my Fifth Amendment.	Transcription error.
289	5	invoice my Fifth Amendment	invoke my Fifth Amendment.	Transcription error.

1 I, DWAYNE FURLOW, do hereby certify:

2 That I have read the foregoing deposition;

3 That I have made such changes in form and/or

4 substance to the within deposition as might be

5 necessary to render the same true and correct;

6 That having made such changes thereon, I

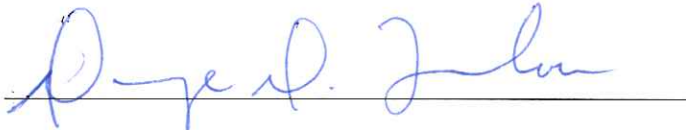
7 hereby subscribe my name to the deposition.

8 I declare under penalty of perjury that

9 the foregoing is true and correct.

10

11 Signature:



12

DWAYNE D. FURLOW

13 SUBSCRIBED AND SWORN before and to me

14 this 13 day of March, 2017

15



16

NOTARY PUBLIC

17 My commission expires: August 1 2020



QIANA BENETRIA WILLIAMS
My Commission Expires
August 1, 2020
St. Louis City
Commission #16931384